

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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IN THIS ISSUE . . .

	Page
Legislative Interim Committee Schedule	1242
Secretary of State	
Notice of Hearing on Proposed Administrative Regulations	1244
Office of the Governor	
Executive Order No. 86-87	1244
Attorney General	
Opinion No. 86-128	1244
Kansas Real Estate Commission	
Notice of Hearing on Proposed Administrative Regulations	1244
Kansas Water Office	
Notice of Hearing on Proposed Administrative Regulations	1245
Department of Administration	
Notice of Commencement of Negotiations for Technical Services	1245
Department of Transportation	
Special Notice to Contractors	1245
Notice to Contractors	1246
Kansas Fish and Game Commission	
Notice of Hearing on Proposed Administrative Regulations	1246
Social and Rehabilitation Services	
Notice of Hearing on Proposed Administrative Regulations	1247
Rehabilitation Services Advisory Committee	
Notice of Meeting	1249
State Corporation Commission	
Notice of Hearing	1249
Notice of Motor Carrier Hearings	1249
Notice to Bidders for State Purchases	1251
State Board of Education	
Notice of Hearing	1252
Notice of Hearing on Proposed Administrative Regulations	1253
Kansas Facts	1268

State of Kansas

LEGISLATURE

INTERIM AGENDA

The following committee meetings have been scheduled during the period of September 22 through October 3, 1986:

Date	Room	Time	Committee	Agenda
Sept. 22	514-S	10:00 a.m.	Task Force on Higher	22nd: Review of
Sept. 23	514-S	9:00 a.m.	Education—Legislative	governance.
			Commission on Economic	23rd: Review of
			Development	university-business linkages.
Sept. 22	526-S	10:00 a.m.	Special Committee on	Briefing and hearing on
Sept. 23	526-S	9:00 a.m.	Communications, Computers	Proposal No. 2—State
			and Technology	Agency Data Bases.
Sept. 22	Marcus	10:00 a.m.	Special Committee on	22nd: Proposal No. 27
Sept. 23	Center	9:00 a.m.	Public Health and Welfare	23rd: Proposals No. 26
	Room 111			and 27.
	(Wichita State			
	University)			
Sept. 24	123-S	10:00 a.m.	Special Committee on	24th a.m.: Hearings on
Sept. 25	522-S	9:00 a.m.	Financing of Regents'	residency requirements.
			Institutions	p.m.: Presentation on value
				added programs at N.E.
				Missouri State;
				Presentation on recruiting
				and retention of faculty.
				25th: Staff responses to
				previous committee
				requests; committee
				discussion.
Sept. 25	123-S	10:00 a.m.	Special Committee on	Proposal No. 20—Children's
Sept. 26	123-S	9:00 a.m.	Judiciary	Task Force.

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JACK H. BRIER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



PHONE: 913/296-3489

Sept. 25 Sept. 26			Joint Committee on Administrative Rules and Regulations	CANCELLED.
Sept. 25 Sept. 26	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on the Court System	Hearings on Proposal No. 5.
Sept. 25 Sept. 26	Kansas State University Union, Room 212	10:00 a.m. 9:00 a.m.	Task Force on Agriculture—Legislative Commission on Economic Development	Conferees on various aspects of economic development.
Sept. 29 Sept. 30	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	29th: Presentation by Regent's institutions on FY 1988 capital improvement requests. 30th: Regent's presentation continued; Presentation by Salina on proposed new Highway Patrol training facility.
Sept. 29 Sept. 30	522-S 522-S	10:00 a.m. 9:00 a.m.	Subcommittee—Special Committee on Federal and State Affairs	29th a.m.: Review survey results; p.m.: Public hearing; draft bill. 30th: Committee discussion and direction to staff.
Oct. 1 Oct. 2	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Energy and Natural Resources	Agenda to be determined.
Oct. 2	527-S	10:00 a.m.	Legislative Budget Committee	Proposal No. 22—State General Fund, staff reports; Conference with Secretary of Revenue re impact of federal tax reform.
Oct. 3	527-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.

The following addition has been made in Interim Committee Charges (Proposals):

Special Committee on Judiciary

Proposal No. 42—Bankruptcy Exemptions

Review the Kansas and federal bankruptcy exemption laws to determine whether changes are warranted.

The following change has been made in interim committee assignment for:

Special Committee on Legislative Apportionment
Senator Gus Bogina replaces Senator Bud Burke.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

State of Kansas

SECRETARY OF STATE**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Secretary of State will conduct a public hearing on a proposed amendment to K.A.R. 7-30-1 at 10 a.m. Tuesday, October 14, in Room 254-E, State Capitol, Topeka.

The proposed amendment to K.A.R. 7-30-1 changes the price for the Session Laws of Kansas pursuant to K.S.A. 1985 Supp. 45-107.

Copies of the proposed amendment and the fiscal impact statement can be obtained from the Secretary of State, State Capitol, Topeka 66612-1594. The Secretary of State will accept oral and written testimony prior to or at the time of the hearing for consideration in making changes to the proposed amendment prior to adoption.

JACK H. BRIER
Secretary of State

Doc. No. 004592

State of Kansas

OFFICE OF THE GOVERNOR**EXECUTIVE ORDER NO. 86-87****OFFER OF REWARD**

WHEREAS, Lora Beth Williamson, age 21, of Garden City, Finney County, Kansas, was stabbed and killed in rural Finney County, Kansas, on or about August 17, 1986; and

WHEREAS, said killing appears to have been a heinous crime and homicide in violation of the laws of the State of Kansas.

NOW, THEREFORE, by virtue of the authority vested in me by K.S.A. 75-113, I, John Carlin, Governor of the State of Kansas, do hereby offer a reward of five thousand dollars (\$5,000.00) for information leading to the apprehension and conviction of the perpetrators of this crime.

This document shall be filed with the Secretary of State as Executive Order No. 86-87, and shall become effective immediately.

Dated September 11, 1986.

JOHN CARLIN
Governor
JACK H. BRIER
Secretary of State

Doc. No. 004596

State of Kansas

ATTORNEY GENERAL**Opinion No. 86-128**

Kansas Constitution—Apportionment of the Legislature—Reapportionment of Senatorial and Representative Districts. Rep. Keith Roe, 109th District, Manhattan, September 4, 1986.

The amendment of Article 10, Section 1 of the Kansas Constitution to retain the current apportionment of the Kansas House of Representatives for the 1990 general election would violate the Equal Protection Clause of the U.S. Constitution. Cited herein: Kan. Const., Art. 10, § 1; U.S. Const., 14th Amendment. TRH

ROBERT T. STEPHAN
Attorney General

Doc. No. 004590

State of Kansas

REAL ESTATE COMMISSION**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 9 a.m. Wednesday, October 8, in Room 202, Federal Building, 444 S.E. Quincy, Topeka, to consider the adoption of proposed temporary and permanent regulations of the Kansas Real Estate Commission. The following is a brief summary of the regulations:

New Regulations: 86-1-15, Change of last name; 86-3-21, Trust account exemption.

Amended Regulations: 86-1-3, Expiration of licenses; 86-1-4, Renewal of license; 86-1-5, Fees—due to statutory change requiring renewal applications to be submitted 30 days prior to the expiration date; 86-1-10, Approval of courses of instruction; procedure; 86-1-11, Minimum curricula and standards for course; 86-1-13, Submission of evidence of course attendance—due to amendments to K.S.A. 58-3046a; 86-2-5, Summary adjudicative proceedings—due to change in K.S.A. 58-3066. 86-3-6a, offices; 86-3-15, Reporting of information—due to change in K.S.A. 58-3047.

Revoked Regulations: 86-1-14, 86-3-16 and 86-3-17.

All interested parties may submit written comments prior to the hearing to the director of the Kansas Real Estate Commission, 217 E. 4th, Topeka 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to adoption of the proposed regulations.

Following the hearing, all written and oral comments will be considered by the Kansas Real Estate Commission.

Copies of regulations and fiscal impact statement may be obtained by writing the Kansas Real Estate Commission.

E. W. YOCKERS
Director

Doc. No. 004583

State of Kansas

KANSAS WATER OFFICE**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 8:30 a.m. Friday, September 26, in Room 313-South, State Capitol, Topeka, to consider the adoption of amendments to the rules and regulations for the State Water Plan Storage Act.

All interested parties may submit written comments prior to the hearing to the Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the director of the Kansas Water Office as the basis for making changes to these proposed amended regulations. The regulations will then be submitted to the Kansas Water Authority for its approval.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained prior to the hearing by writing the Kansas Water Office.

The following is a summary of proposed amended regulations necessitated by enactment of 1986 H.B. 2721, Chapter 396, 1986 Session Laws of Kansas:

K.A.R. 98-5-2 sets forth the process for filing an application to negotiate a water supply contract. Amendment requires the applicant to provide evidence of adoption and implementation of a water conservation plan.

K.A.R. 98-5-3 sets forth procedures to negotiate water supply contract. Amendment is necessary to allow for contracts to be negotiated in advance of actual availability of water.

K.A.R. 98-5-5 sets forth the formula to be used in setting the annual rate charged under water supply contracts. Amendment of this section reflects statutory changes as a result of enactment of H.B. 2721.

K.A.R. 98-5-6 establishes the rate to be charged for surplus water. Amendments clarify conditions for which charges are assessed for the use of surplus water and the rate charged for specific types of surplus water contracts.

K.A.R. 98-5-7 sets forth the provisions to be included in water supply contracts. Amendments clarify the method used to determine the minimum annual charge and to determine the net amount of monies advanced from the state general fund.

JOSEPH F. HARKINS
Director, Kansas Water Office

Doc. No. 004578

State of Kansas

DEPARTMENT OF TRANSPORTATION**SPECIAL NOTICE TO CONTRACTORS**

A pre-bid conference for Project 670-105 K-2888-02, Wyandotte County, is scheduled for Friday, October 3, at 10 a.m. at the Kansas Department of Transportation District One Conference Room, 121 W. 21st, Topeka. The project is located on I-670, beginning at the Kansas River west to just east of 7th Street, superstructure, deck and pressure storm sewer system. Contractors wishing to bid on this project are required to attend the pre-bid conference in accordance with the provisions of 80 P-207-R1, dated January 31, 1985. The project is tentatively scheduled to be let for bid at 10 a.m. October 16 at the construction bid letting, 10th and Jackson, Topeka.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004572

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for surveying services for property owned by the Topeka State Hospital, Topeka. The hospital is requesting sealed bids for the surveying of an approximately 5.1 acre river front site at Topeka State Hospital to establish the legal description prior to its sale or transfer to another state agency. The land is located north of the I-70 and MacVicar interchange, adjacent west to the Victory Sand and Gravel Company. The Topeka State Hospital reserves the right to reject any or all bids.

Questions or expressions of interest should be directed to Mack Schwein, Topeka State Hospital, 2700 W. 6th, Topeka 66606, (913) 296-4317, prior to October 3, 1986.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 004593

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m., C.D.T., October 16, 1986, and then publicly opened:

DISTRICT ONE—Northeast

Wyandotte—670-105 K-2888-02—I-670, I-70 to the Kansas River, bridge. (Federal Funds)

DISTRICT FOUR—Southeast

Allen—169-1 X-0476-02—Crossing of U.S. 169 (State Street) and Atchison, Topeka and Santa Fe railroad, grading, surfacing. (Federal Funds)

Franklin—30 C-1759-01—County road, 3.2 miles west and 3 miles north of Ottawa, then north, 0.4 mile, bridge replacement. (Federal Funds)

Montgomery—75-63 K-3026-01—U.S. 75, Motor Carrier Inspection Station south of Caney, grading, surfacing. (State Funds)

DISTRICT FIVE—Southcentral

Cowley—15-18 X-0808-02—Crossing of K-15 and Atchison, Topeka and Santa Fe railroad north of Winfield, grading, surfacing. (Federal Funds)

Pawnee—56-73 K-2595-01—U.S. 56, Arkansas River drainage bridge 2, 1.8 miles southwest of U.S. 156, bridge replacement. (Federal Funds)

Sedgwick—87 U-0937-01—MacArthur Road at Wichita Valley Center floodway, 0.4 mile, bridge replacement. (Federal Funds)

Sumner—49-96 X-0864-02—Crossing of Atchison, Topeka and Santa Fe railroad and K-49 in Sumner County, grading, surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

The state highway agency shall include a statement substantially as follows in the advertised specifications: Each bidder shall file a sworn statement executed by, or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn

statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district offices responsible for the work.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004585

State of Kansas

FISH AND GAME COMMISSION

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 7 p.m. Friday, October 10, in the Versaille A Room at the Holiday Inn West, 605 Fairlawn, Topeka, to consider the adoption and amendment of permanent, temporary and statutorily exempt regulations of the Commission.

All interested parties may submit written comments prior to the hearing to the director of the Kansas Fish and Game Commission, Route 2, Box 54A, Pratt 67124. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to adoption of the proposed regulations. Following the hearing, all written and oral comments submitted by interested parties will be considered by the Commission as a basis for making any changes to the proposed amendments or revocations.

The following is a brief summary of the proposed regulations and amendments:

K.A.R. 23-6-1. Furbearers; open season; possession periods; means and methods of taking. Existing provisions of this regulation will be revoked and supplanted with new K.A.R. 23-6-1a and K.A.R. 23-6-9.

K.A.R. 23-6-1a. Furbearers; open season; possession periods. This regulation will re-establish the open furbearer seasons in Kansas.

K.A.R. 23-6-9. Bobcat carcasses and pelts tagging. This new regulation will re-establish the manner and time limitation to be followed for the possession of bobcat pelts.

Copies of the full text of the proposed amendments and regulations and the fiscal impact statements may be obtained by writing to the director of the Kansas Fish and Game Commission at the above address.

JOE FOWLER
Chairman

Doc. No. 004595

State of Kansas

SOCIAL AND REHABILITATION SERVICES**NOTICE OF MEETING
AND HEARING ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Department of Social and Rehabilitation Services will meet at 9 a.m. Tuesday, October 7, in the Staff Development Training Center, 2700 W. 6th, Topeka.

The scheduled agenda includes:

- Preliminary discussion of staff proposals concerning permanent administrative regulations.
- Public hearing concerning proposed temporary administrative regulations. A summary of the proposed regulations is set forth below. Proposed regulations, K.A.R. 30-5-86, 30-6-65, 30-10-1d and 30-10-18, are scheduled to become effective on November 1, 1986. Proposed regulations, K.A.R. 30-2-16, 30-45-10, 30-45-11, 30-45-12, 30-45-13, and 30-45-14, are scheduled to become effective when approved by the State Rules and Regulations Board.
- Adoption of proposed temporary administrative regulations.

A. General.

1. **30-2-16. Permanency planning goals for title IV-E of the federal social security act.** This regulation is being amended to change the date of the federal fiscal year permanency planning goals from October 1, 1985 to October 1, 1986.

B. Medicaid/Medikan Program—Provider Participation, Scope of Services, Reimbursement.

1. **30-5-86. Scope of services by community mental health centers.** This regulation is being amended to limit outpatient psychotherapy for drug and alcohol treatment to a total of 800 units per lifetime.

C. Medicaid/Medikan Program—Client Eligibility.

1. **30-6-65. Automatic eligibles.** This regulation is being amended to provide automatic eligibility for medical assistance to:

- (a) A child receiving foster care payments under title IV-E, regardless of the state making payment; and
- (b) a child for whom an adoption assistance agreement under title IV-E is in effect even if assistance payments are not being made or the adoption assistance agreement was entered into with another state. Automatic eligibility begins when the child is placed for adoption even if an interlocutory decree of adoption or a judicial decree of adoption has not been issued.

D. Medicaid/Medikan Program—Adult Care Homes.

1. **30-10-1d. Inadequate care.** This regulation is being amended to read as follows:

- (a) When the agency determines that inadequate care is being provided to a recipient, payment to the adult care home for the recipient may be terminated.
- (b) When the agency receives confirmation from the Kansas department of health and environment that an adult care home has not corrected deficiencies which affects significantly and adversely the health, safety,

nutrition or sanitation of the adult care home residents, the provider's current rate shall be reduced to the lowest rate in the state for the level of care in which the provider participates. The reduced rate shall be in effect until the Kansas department of health and environment confirms that the deficiencies have been corrected.

(c) Failure to correct the deficiencies within 30 days after the provider's receipt of the correction order may be cause for termination from the medicaid/medikan program.

(d) If the provider's deficiencies do not pose immediate jeopardy to resident health and safety, the agency may deny payment for new admissions. The effective date of this regulation shall be November 1, 1986.

2. **30-10-18. Rates of Reimbursement.** This regulation is being amended by adding new paragraph (h) which reads as follows:

(h) Projected cost reports to meet survey requirements.

(1) State intermediate care facilities for the mentally retarded (ICF-MR) required by a state or federal certification survey to incur additional operating costs for active treatment in excess of \$200,000.00, to meet certification requirements, shall be allowed to file a projected cost report.

(2) Intermediate care facilities for the mentally retarded (ICF-MR) required by a state or federal certification survey to incur additional operating costs for active treatment in excess of \$125,000.00, for facilities larger than 15 beds and \$40,000.00, for facilities with 15 beds or less to meet certification requirements, shall be allowed to file a projected cost report. A one time projection shall be allowed for a 12-month period. Projected cost reports shall be processed in accordance with K.A.R. 30-10-17(f).

(3) The adjustment resulting from the projected costs of the findings of the state and federal survey shall be treated as a pass-through for the period of the projection. The pass-through shall not exceed \$55.00 per day for 16-bed or more ICF-MR facilities. The pass-through shall not exceed the lowest state ICF-MR rate for 15-bed or less ICF-MR facilities. The effective date of this regulation shall be November 1, 1986.

E. Youth Services.

1. **30-45-10. Definitions.** The secretary is promulgating a new regulation. The text of the regulation is set forth below:

30-45-10. Definitions. (a) "Medical neglect" includes, but is not limited to, the withholding of medically indicated treatment from a disabled infant with a life-threatening condition.

(b) "Withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by failing to provide treatment, which in the treating physician's reasonable medical judgment, is most likely to ameliorate or correct all life-threatening conditions. "Withholding of medically indicated treatment" does not include the

(continued)

provision of such treatment when the treatment would be futile in terms of survival of the infant and the treatment itself under such circumstances would be inhumane. In all circumstances "withholding of medically indicated treatment" shall always include the failure to provide appropriate nutrition, hydration or medication.

(c) "Reasonable medical judgment" means a medical judgment made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(d) "Infant" means an infant less than one year of age. The reference to less than one year of age shall not be construed to imply that treatment should be changed or discontinued when an infant reaches one year of age. The standards set forth in subsection (b) of this regulation should be consulted thoroughly in the evaluation of any issue of medical neglect involving an infant older than one year of age who has been continuously hospitalized since birth, whose birth was extremely premature, or who has a long-term disability.

(e) "Designated hospital liaison" means the individual designated by the hospital administrator as the person to be contacted by agency personnel upon a report of medically indicated treatment being withheld from a disabled infant. Names of liaisons shall be furnished to the agency annually by each hospital.

(f) "Hospital medical ethics review committee" means the group established by the hospital to review medical treatment and make recommendations to the appropriate medical personnel involved in the case.

2. 30-45-11. Reports of medically neglected infants. The secretary is promulgating a new regulation. The text of the regulation is set forth below:

30-45-11. Reports of medically neglected infants. (a) Reports of medical neglect of a disabled infant shall be made to the local social and rehabilitation services office. Receipt of the report and subsequent initiation of an investigation will follow the emergency procedures established under the Kansas code for care of children. Upon receiving notification of withholding of medically indicated treatment from a disabled infant, an agency social worker shall:

(1) Contact the designated hospital liaison at the facility where the infant is located;

(2) contact the hospital medical ethics review committee at the facility housing the infant to obtain the committee's findings or the perinatal medical council if no hospital medical ethics review committee exists; and

(3) include as a part of the investigative report, information from and reports to the designated hospital liaison and the hospital medical ethics review committee or the perinatal medical council if no hospital medical ethics review committee exists.

(b) Subsequent to the initial investigation of a report of medical neglect of a disabled infant, the agency personnel shall follow the procedures established under the Kansas code for care of children and all due process rights contained therein shall apply.

3. 30-45-12. Responsible reporters. The secretary is promulgating a new regulation. The text of the regulation is set forth below:

30-45-12. Responsible reporters. (a) Physicians, nurses, hospital administrators, and others listed in K.S.A. 1985 Supp. 38-1522 shall be required to report cases of medical neglect of disabled infants.

(b) Reports to social and rehabilitation services of medical neglect of disabled infants can be initiated by any concerned citizen. The reporter will remain anonymous unless the reporter agrees to the use of the reporter's identity by the agency. The reporter is not liable to prosecution for reports made in good faith pursuant to K.S.A. 1985 Supp. 38-1525 and 38-1526.

4. 30-45-13. Records. The secretary is promulgating a new regulation. The text of the regulation is set forth below:

30-45-13. Records. (a) Records of medical neglect cases involving disabled infants shall be handled according to established agency procedures.

(b) Cumulative data regarding medical neglect cases shall be available to the medical community on an annual basis. The agency shall also make non-confidential information regarding medical neglect cases available to the public.

5. 30-45-14. Public information. The secretary is promulgating a new regulation. The text of the regulation is set forth below:

30-45-14. Public information. The agency shall annually inform the medical community of the need to report cases of alleged medical neglect of disabled infants pursuant to these regulations.

A copy of the proposed regulations and fiscal impact statement may be obtained prior to October 7 by contacting Mary Slaybaugh, Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka 66612, (913) 296-3969. Written comments may be submitted prior to such date to Dr. Robert Harder, Secretary of Social and Rehabilitation Services, at the address above.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed temporary regulations. Presentations should be in writing whenever possible. Depending on the number of persons wanting to speak, the department may require that each participant limit oral presentation to three minutes.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (area office and State Office Building), Wichita and Winfield.

ROBERT C. HARDER
Secretary of Social and
Rehabilitation Services

Doc. No. 004587

State of Kansas
SOCIAL AND REHABILITATION SERVICES
REHABILITATION SERVICES ADVISORY
COMMITTEE

NOTICE OF MEETING

The Rehabilitation Services Advisory Committee will meet at 1 p.m. Thursday, September 25, in the Alcohol and Drug Abuse Services conference room on the second floor of the Biddle Building, 2700 W. 6th, Topeka.

JOAN B. WATSON
 Commissioner

Doc. No. 004586

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has issued an order which penalized the following operators for failure to renew their operator or contractor licenses as required by K.S.A. 55-155 and K.A.R. 82-3-120:

—Fred Leroy Egner
 —Andy F. VonFeldt
 —Gerald W. Zorger
 —Al-Kan Drilling Co.
 —B & C Oil Company
 —Glenda Gas Company
 —L. B. Jackson Co.
 —Yarnell Ditching

Pursuant to K.S.A. 55-164, the matter is set for hearing at 1:30 p.m. Monday, September 29, in the conference room of the Conservation Division, 200 Colorado Derby Building, 202 W. 1st, Wichita.

JAMES E. BROWNE
 Assistant General Counsel

Doc. No. 004584

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF
MOTOR CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. before the State Corporation Commission, State Office Building, fourth floor, Topeka, unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka 66612, (913) 296-3808 or 296-2110.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for October 14, 1986

Application for Extension of Certificate of Convenience and Necessity:

Maczuk Industries, Inc.) Docket No. 36,989 M
 River Road)
 Atchison, KS 66002) MC ID No. 100388

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Fertilizer, fertilizer ingredients, feed and feed ingredients, in bulk,

Between points in Kansas on and east of U.S.-81. Also,

Between points in the described territories above, on the one hand, and on the other, points in Kansas.

Livestock, unprocessed hay, grain, feeds, seeds, fruits, vegetables, farm machinery, building materials, fencing materials, binding twine, hardware, cement, bricks and coal,

Between points in Brown and Doniphan counties, Kansas.

Also,

Between points in Brown and Doniphan counties, Kansas, on the one hand, and on the other, points in Kansas.

Molasses,

Between Atchison County, Kansas, and places and points in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Dave's Moving and) Docket No. 151,515 M
 Delivery, Inc.)
 2016 S. Oliver)
 Wichita, KS 67218)

Applicant's Attorney: Brad Murphree, 400 N. Woodlawn, Suite 1, Wichita, KS 67209

General commodities (except classes A and B explosives, commodities in bulk, commodities requiring refrigeration and hazardous materials as defined in 49 C.F.R. § 172.101,

Between all points and places in Sedgwick, Butler, Cowley, Sumner, Harper, Kingman, Reno and Harvey counties, Kansas.

Also,

Between all points in the said counties, on the one hand, and all points in the state of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Ken's Conoco, Inc.) Docket No. 151,517 M
 3202 S. Seneca)
 Wichita, KS 67217)

Applicant's Attorney: None

(continued)

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points and places in Sedgwick County, Kansas.

Also,

Between all points and places in Sedgwick County, Kansas, on the one hand, and all points and places in the state of Kansas, on the other hand.

Application for Extension of Consolidation to Eliminate Radii Description of Certificate of Convenience and Necessity:

L. H. Rehmert and) Docket No. 79,738 M
Dennis L. Rehmert, dba)
Rehmert Trucking)
Company)
Route 2)
Dodge City, KS 67801) MC ID No. 100835

Applicant's Attorney: David Heinemann, 206 W. Pine,
P.O. Box 1346, Garden City, KS 67846

Livestock, manure, unprocessed farm products and alfalfa pellets,

Between points and places in the counties of Hodgeman, Ford, Gray, Finney, Edwards, Kearny, Hamilton, Stanton, Grant, Haskell, Clark, Kiowa, Meade, Seward, Stevens, Morton and Comanche.

Also,

Between points and places in the above-described territory, on the one hand, and points and places in the state of Kansas, on the other.

Gypsum,

Between points and places in Barber County, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

Concrete products, asphalt products, moline rock and equipment and supplies used by portable ready mix cement plants and by portable sand and gravel plants,

Between points and places in Kansas.

Renoticed Application for Certificate of Convenience and Necessity:

Complete Auto Repair,) Docket No. 151,496 M
Inc.)
601 Southwest Blvd.)
Kansas City, KS 66103)

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612.

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points and places in the Kansas counties of Leavenworth, Wyandotte and Johnson.

Also,

Between points and places in the Kansas counties of Leavenworth, Wyandotte and Johnson, on the one hand, and on the other, points in Kansas.

Applications set for October 16, 1986

Application for Certificate of Convenience and Necessity:

Paul T. Utterback, dba) Docket No. 151,513 M
Utterback Services)
219 W. 4th)
Holton, KS 66436)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Shawnee, Brown, Jackson, Nemaha, Atchison and Jefferson counties, Kansas.

Also,

Between all points and places in the above named counties, on the one hand, and on the other, all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Gary Summerskill, dba) Docket No. 151,512 M
Summerskill Tow)
3808 Kings Highway)
Kansas City, MO 64137)

Applicant's Attorney: C. Edward Peterson, Third Floor, College Boulevard National Bank Building, 4650 College Blvd., P.O. Box 7933, Overland Park, KS 66207

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Johnson and Wyandotte counties, Kansas.

Also,

Between all points and places in Johnson and Wyandotte counties, Kansas, on the one hand, and all points and places in Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Kansas-Missouri Silo) Docket No. 151,511 M
Company)
2240 Vail)
Topeka, KS 66608)

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

General commodities (except classes A and B explosives, household goods and commodities in bulk),

Between points in the Kansas counties of Douglas, Shawnee, Jefferson, Jackson, Wabaunsee, Pottawatomie, Riley, Geary and Morris.

Also,

Between points in the above stated Kansas counties, on the one hand, and on the other, points in Kansas.

**Application for Certificate of Convenience
and Necessity:**

Integrated Business) Docket No. 151,514 M
Managements, Inc.)
580 Kansas City Road)
Olathe, KS 66061)

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement
motor vehicles and trailers,*

Between all points and places in Johnson, Wyandotte, Franklin, Douglas, Miami and Shawnee counties, Kansas.

Also,

Between all points and places in the above named counties, on the one hand, and all points and places in the state of Kansas, on the other hand.

**Application for Certificate of Convenience
and Necessity:**

Coastal Energy) Docket No. 151,516 M
Corporation)
Highway 181 South)
P.O. Box 128)
Cabool, MO 65689)

Applicant's Attorney: Larry Gregg, 3401 S.W. Harrison, Topeka, KS 66611

*Petroleum, petroleum products, alcohol
and animal feed,*

Between all points in Kansas.

**Application for Transfer of Certificate of
Convenience and Necessity:**

B. F. Walker, Inc.) Docket 36,601 M
2530 S. Parker Road)
Aurora, CO 80014) MC ID No. 106959
TO:

Expressco, Inc.
135 Lemuel Drive
Nashville, TN 37207

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Oil field machinery, materials, supplies and equipment incidental to or used in the construction, development, operation and maintenance of facilities for the discovery, development and production of natural gas or petroleum, heavy and bulky machinery or materials and supplies (other than oil field materials), and cumbersome commodities and parts,

Between all points and places in the state of Kansas.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 004588

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES**

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, State Office Building, Topeka, until 2 p.m. C.D.T., and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, SEPTEMBER 29, 1986

#27381

Department of Revenue—CONTINUOUS
MARGINAL PUNCHED CUSTOM FORMS

#27386

University of Kansas Medical Center—BED
RENTAL

#66974

Kansas Technical Institute and Kansas State
University—THEATER SEATS

#66998

University of Kansas Medical Center—PLAIN
PAPER COPIER

#66999

Adjutant General's Department—ROAD ROCK,
Salina

#67023

Department of Transportation—SUPPORTIVE
SERVICES TRAINING

#67035

University of Kansas—PLAIN PAPER COPIER

#67042

Kansas State University—CENTRIFUGE ROTORS

TUESDAY, SEPTEMBER 30, 1986

#27374

University of Kansas—NOVEMBER (1986) MEAT
PRODUCTS

#66983

Kansas State University—LAB APPARATUS

#66984

University of Kansas Medical Center—HPLC
APPARATUS

#66987

Department of Social and Rehabilitation
Services—SUPPLY, INSTALL/VAN MODIFICATION

#66991

Kansas State Historical Society—MICROFILM
READER-PRINTER

#66994

Kansas Correctional Industries—LAUNDRY
SUPPLIES

WEDNESDAY, OCTOBER 1, 1986

#A-6001

Ellsworth Public Building Commission—
EARTHWORK, Ellsworth Correctional Work Facility

#27377

Statewide—NOVEMBER (1986) MEAT PRODUCTS

#66633-A

Department of Transportation—AB SPECIAL
AGGREGATE, Attica

#66706-A

Department of Transportation—PLANT MIX,
Columbus

#66995

Kansas State University—MILO

(continued)

#66996

Kansas State Penitentiary—SHEETROCK

#66997

Fort Hays State University—COMPUTER AIDED
DESIGN LAB

#67003

Department of Administration, Division of
Information Systems and Communications—OFFICE
FURNITURE

#67008

University of Kansas Medical Center—LAB
EQUIPMENT, Wichita**THURSDAY, OCTOBER 2, 1986**

#67004

Kansas State University—NMR SPECTROMETER

#67005

University of Kansas—IMAGE ANALYZER, Parsons

#67006

Kansas State University—LAB APPARATUS

#67007

University of Kansas—LAB REFRIGERATION
EQUIPMENT

#67013

Department of Social and Rehabilitation
Services—MOP YARN

#67014

University of Kansas—ACOUSTICAL
TREATMENT, Military Science Firing Range

#67037

Kansas Fish and Game Commission—STREAM
ACCESS, Valley Falls**FRIDAY, OCTOBER 3, 1986**

#27384

University of Kansas Medical Center—NOVEMBER
(1986) MEAT PRODUCTS

#67018

Wichita State University—TERMINALS

#67019

Topeka State Hospital—LAUNDRY SUPPLIES

#67020

Adjutant General's Department—ROCK (HIGHWAY)
SALT, Salina

#67033

Department of Transportation—STEEL, Chanute
and Salina

#67034

Kansas State Penitentiary—ROOF SYSTEM

#67038

Department of Health and Environment—GRAB
SAMPLE CONTAINERS

#67039

University of Kansas—DISHWASHING
DETERGENTS AND SUPPLIES

#67040

Rainbow Mental Health Facility—FOOD
SHELVING

#67041

Kansas Correctional Industries—BUILDING
MATERIALS

#67047

Youth Center at Topeka—FURNISH AND
INSTALL AUDIO SURVEILLANCE MONITOR

#67048

Department of Transportation—SEMI-TRAILERS,
Chanute**THURSDAY, OCTOBER 9, 1986**

#A-5368(a)

Department of Administration—PROVIDE ROOF
REPAIRS, 3rd Floor, South Wing, State Office
Building

#A-5424(a)

Department of Administration—RELOCATE
COOLING TOWERS PHASE I, State Office BuildingNICHOLAS B. ROACH
Director of Purchases

Doc. No. 004591

State of Kansas**BOARD OF EDUCATION****NOTICE OF HEARING**

The Kansas State Board of Education will hold a public hearing in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, at 1:30 p.m. Tuesday, October 7, to consider the proposed Kansas State Plan for School Food Service State Administration Expense (SAE) funds for fiscal year 1987.

The proposed plan is a compliance document which consists of a description of anticipated costs or budget needs, a staffing plan, and a description of activities for which state and federal funds are to be expended. Projected costs, with descriptive justification, are provided for the following major responsibilities of administering child nutrition programs: technical assistance; program monitoring; claims processing/federal reporting; policy development/implementation; professional development (training); program administration, planning and supervision; and program audits.

A copy of the plan may be obtained by contacting the secretary of the State Board of Education, Kansas State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, on the plan. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the State Board of Education, at least five days before the hearing, their views regarding the proposed plan. All comments received will be considered by the Board. The hearing shall be conducted in compliance with public hearing procedures of the Board.

KANSAS STATE BOARD OF EDUCATIONBy: Robert J. Clemons
Chairman

Certified by:

Dr. Harold L. Blackburn
Kansas Commissioner of Education

Doc. No. 004594

State of Kansas

BOARD OF EDUCATION

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, October 7, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider proposed changes in State Board Regulations 91-1-28, 91-1-30, 91-1-58, 91-1-81, 91-1-83, 91-1-108b, 91-1-141, 91-1-146a, 91-1-146c, 91-1-146d, 91-31-1, 91-31-2, 91-31-4, 91-31-5, 91-31-6, 91-31-7, 91-31-12a, 91-31-12b, 91-31-12e, 91-31-12g, 91-31-12h, 91-31-13, 91-31-14a, 91-31-14c, and 91-31-15, and the repeal of S.B.R. 91-1-29, 91-1-112, 91-1-113, 91-1-114, 91-1-115, 91-1-116, 91-1-117, 91-1-118, 91-1-119, 91-1-124, 91-1-126, 91-1-132, 91-1-135, 91-1-137, 91-1-138, 91-1-139, and 91-1-142.

The following is a summary of the substance of each proposed regulation.

1. S.B.R. 91-1-28 is being amended to allow area vocational-technical school and special education directors, as well as superintendents, to petition the Special Certificate Committee to issue a special certificate to an individual who does not meet all certification requirements.

2. S.B.R. 91-1-30 is being amended to allow teacher educators to meet recent credit or experience requirements for certificate renewal based upon employment in an accredited teacher education institution.

3. S.B.R. 91-1-58 is being amended to clarify that if a person is to receive a substitute teaching endorsement because the person holds or has held a certificate, the certificate held must be a teaching certificate.

4. S.B.R. 91-1-81 is being reorganized to state the general requirements for any teacher preparation program to receive approval of the State Board utilizing program analysis procedures based upon competencies.

5. S.B.R. 91-1-83 is being amended to delete the requirement that an applicant for this endorsement possess an endorsement in another area. This regulation will be consistent with other regulations.

6. S.B.R. 91-1-108b is being amended to make the language of the regulation consistent with other regulations and to delete an inadvertent reference to a middle level program.

7. S.B.R. 91-1-141 is being amended to clarify the language and more clearly express the intent underlying the regulation.

8. S.B.R. 91-1-146a is being amended to change the definition of "education agency" to conform with the definition prescribed by statute.

9. S.B.R. 91-1-146c is being amended to specify that representatives of an inservice professional development council are to be appointed by the group they represent.

10. S.B.R. 91-1-146d is being amended to make

inservice education renewal requirements for those individuals holding advanced degrees conform with other avenues for renewal that an individual holding an advanced degree may utilize.

11. S.B.R.s numbered 91-1-29, 91-1-112, 91-1-113, 91-1-114, 91-1-115, 91-1-116, 91-1-117, 91-1-118, 91-1-119, 91-1-132, 91-1-135, 91-1-137 and 91-1-138 have been superseded by other regulations and, therefore, are being revoked.

12. S.B.R.s numbered 91-1-124, 91-1-126, 91-1-139 and 91-1-142 are no longer needed and, therefore, are being revoked.

13. S.B.R. 91-31-1, 91-31-2, 91-31-4, 91-31-5, 91-31-6, 91-31-7, 91-31-12a, 91-31-12b, 91-31-12e, 91-31-12h, 91-31-13, 91-31-14a, and 91-31-15 are all being amended to reflect the appropriate designation of various administrators. The changes are only editorial in nature.

14. S.B.R. 91-31-12g is being amended to exclude American history and government courses as those for which credit may be earned through correspondence courses.

15. S.B.R. 91-31-14c (dealing with interscholastic activities) is being amended to delete the requirement that coaches be certified to teach at the same level of school that they coach. This makes the regulation consistent with a Kansas State High School Activities Association regulation. Other amendments would increase, for sixth graders, the maximum distance in a single race and the maximum cumulative distance that can be run on a single day. Finally, another amendment would prohibit practice time during the school day.

A copy of each proposed regulation is being mailed to chief school administrators in the state and may be reviewed in their offices. Also, a copy of each of the proposed regulations and its fiscal impact statement may be obtained by contacting the secretary of the State Board of Education, Kansas State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, in regard to the proposed regulations. Individuals or organizations that cannot appear at the hearing may submit written comments to the secretary of the State Board of Education at the address above. All comments received will be considered by the Board. The hearing shall be conducted in compliance with the public hearing procedures of the Board.

91-1-28. Special certificate. (a) A special certificate shall be issued to the applicant, if each of the following conditions have been met: (1) Each applicant shall explore the possibility of certification through all other existing channels prior to applying for this certificate.

(2) The ~~superintendent of the district administrator~~ of the accredited or approved educational agency wishing to employ the applicant shall present a writ-

(continued)

ten petition to the teaching and school administration professional standards advisory board describing the particular competencies needed to fill the position.

(3) The committee designated in subsection (b) of this regulation recommends that the special certificate be issued.

(b) The request for a special certificate shall be heard by a committee of three. The teaching and school administration professional standards advisory board shall appoint from its membership one chief school administrator and one ~~chairman~~ chairperson of a department of education from its membership of a teacher education institution. The third member of the committee shall be designated by the commissioner of education.

(c) The committee's recommendation to grant or deny the application for a special certificate shall be based on the results of a personal interview with the applicant. ~~exploring~~ The interview shall explore the applicant's:

(1) Knowledge of the learning process for students of the age level for which the applicant is requesting certification;

(2) ability to instruct and motivate students; and

(3) knowledge and skill in the subject area for which endorsement is sought.

(d) If the application is approved, a recommendation for certification shall be forwarded to the state board of education. If the application is not approved by the committee, the applicant may appeal to the certification review committee as provided in S.B.R. 91-1-27(g).

(e) ~~A~~ Each special certificate shall be valid for only one school year. Two renewals, for one year each, shall be granted if renewal is recommended by the ~~district school administrator~~ employing administrator and the committee designated in ~~paragraph~~ subsection (b) above. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1986; amended May 1, 1987.)

91-1-29. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-30. Elementary, middle level, junior high, and secondary endorsements. (a) Initial certification.

(1) Except as otherwise expressly provided in these regulations, each initial certificate shall be valid for three years.

(2) Any secondary endorsement shall be extended to grades five and six, if the applicant's preparation:

(A) Includes course work in child and adolescent psychology, accredited experience in one of the grades five through nine, and 15 semester hours of education or training in each field or subject covered by the endorsement; or

(B) Meets the standards set forth in S.B.R. 91-1-144 and the appropriate middle-level subject and field requirements, and ~~the applicant documents~~ includes accredited teaching experience or student teaching in one or more of the grades five through nine, and 15

semester hours of education or training in each field or subject covered by the endorsement.

(3) Any applicant who holds or is eligible for a certificate with an endorsement at the secondary level for one or more subjects or fields shall be granted an endorsement at the middle or junior high level, if the applicant meets the requirements of S.B.R. 91-1-30(a)(2).

(4) Any applicant who is employed at an accredited teacher education institution, may meet recent credit or experience requirements with verification by the dean or head of the education department that the experiences the individual has acquired in the areas of research, curriculum development, staff development or inservice education are equivalent to the semester hour requirements for initial certification provided in S.B.R. 91-1-27(c).

(b) Renewal requirements.

(1) ~~Credit that is to be used as a basis for renewal of certification shall be upper division or graduate level credit.~~ Credit other than upper-division or graduate level credit that is submitted as a basis for renewal of certification shall be approved by the applicant's district school administrator or building administrator. Applicants for renewal of certification based upon credit hours shall select credit hours which maintain or improve skills related to their employment as teachers, administrators or special services personnel. Renewal credit shall be appropriate for the endorsement or endorsements which appear on the certificate, to a new endorsement area, or to professional development.

(2) Applicants for renewal of certification based upon credit hours who do not have previous credit in the area of exceptional children shall have completed a two-hour survey course or other courses with equivalent content in the area of exceptional children.

(3) Applicants for renewal of certification based upon accredited experience who do not have previous credit in the area of exceptional children shall have completed a two-hour survey course or other courses with equivalent content in the area of exceptional children.

(4) When any person has two years of accredited, recent experience in the area for which the person is certified, and when that person meets the requirements of subsection (b) (2) or (b) (3) of this regulation, the person's certificate may be renewed for five years, if:

(A) The experience was obtained within the term of the three-year certificate; and

(B) the person is recommended for renewal by the administration of the school in which the person is employed.

(5) For any person who does not hold an advanced degree, a renewal of a five-year certificate shall require that the person has completed a minimum of eight additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.

(6) (A) Any person holding an advanced degree may be granted two renewals of a five-year certificate if the person has completed three years of accredited,

recent experience during the term of the most recent certificate.

(B) Further renewals of a five-year certificate issued to a person who holds an advanced degree shall require that the person has completed six additional hours of recent credit or the prescribed number of recent inservice education points as specified in S.B.R. 91-1-146a to 91-1-146d.

(7) Any applicant for renewal of an elementary certificate who has not previously completed a course in the teaching of reading shall have completed such a course. This course shall include a supervised practicum.

(8) Any person having an initial certificate who does not meet the requirements for a five-year certificate may be granted an additional three-year certificate if the person has:

(A) One year of accredited, recent experience since the issuance of the most recent three-year Kansas certificate;

(B) Six additional hours of recent credit or the prescribed number of recent inservice education points as specified in S.B.R. 91-1-146a to 91-1-146d, if the applicant holds an advanced degree; or

(C) Eight additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d, if the applicant does not hold an advanced degree.

(9) Applicants for renewal of certification who are employed at an accredited teacher education institution may meet renewal requirements with verification by the dean or head of the education department that the experiences the individual has acquired in the areas of research, curriculum development, staff development or inservice education are equivalent to the stated semester hour requirements for renewal of certification provided in state board regulations for the certificate the individual holds or has held.

(10) (A) The following types of certificates, which were valid as of July 1, 1980, shall be treated as non-expiring: 123, 124, 125, 126, 127, 128, 133, 139, 140, 144, 145, 146, 147, 157, 158, 201, and 202.

(B) Those certificates listed above, which were not valid as of July 1, 1980, shall be renewed as non-expiring certificates by meeting the requirements prescribed in S.B.R. 91-1-30(b)(2), (b)(3), or (b)(4)(B).

(11) The state board reserves the right to modify or amend the regulations relating to renewal requirements for all certificates. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987.)

91-1-58. Substitute teaching endorsement. (a) A substitute teaching endorsement may be issued to any person meeting the requirement of subsection (b). The initial substitute teaching endorsement shall be valid for five years. Persons holding a substitute teaching endorsement shall teach no more than 90 days in any school year. The substitute teaching endorsement shall be valid for the grade level specified

by the applicant's Kansas certificate or out-of-state certificate, if based upon such a certificate, or, if based upon completion of an approved teacher education program, for the grade level of preparation.

(b) Each applicant shall present evidence of the following:

(1) Having held a current or past Kansas teacher's certificate. The recent credit or experience required by S.B.R. 91-1-27(c) shall not apply; or

(2) Having held a current or past valid teaching certificate from another state, which has certification requirement comparable to those of Kansas. The recent credit or experience required by S.B.R. 91-1-27(c) shall not apply; or

(3) completion of a baccalaureate degree in an approved secondary or elementary teacher education program, including recency as specified in S.B.R. 91-1-27(c).

(c) A renewal of the substitute teaching endorsement shall be valid for five years and shall be issued to applicants who present evidence of having received:

(1) Five semester hours of recent college credit earned since the issuance of the substitute endorsement; or

(2) The prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d. Credit that is submitted as a basis for endorsement renewal shall meet the requirements stated in S.B.R. 91-1-30(b)(1). (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1987.)

91-1-81. Subjects and fields of specialization—general standards. Teaching majors: general standards. (a) Each individual program of specialization shall be the responsibility of a designated unit or individual.

(b) The institution shall prepare a written statement of the purpose and objectives of each teaching major or field of specialization. These statements shall be prepared by the faculty concerned with teacher education, based on analyses of current practices and recommendations of the professional organizations representing this field and shall be available for inspection and review.

(c) The institution shall prepare a written statement of the competencies needed by teachers in each teaching major or field of specialization. The statement of competencies shall be available for inspection and review. The statement of competencies shall be in accordance with the purposes and objectives of the teaching major or field of specialization.

(d) The program of study constituting a teaching major or field of specialization shall:

(1) Consist of a carefully planned pattern of courses and experiences;

(2) Include a thorough study of the aspects of the subject matter area as included in the public school curriculum;

(3) Take into account the sequential nature of the knowledge and skills to be developed;

(continued)

(4) Be broadly designed, to include work in fields related to the area of study to be taught; and

(5) Be designed to produce the competencies needed to successfully teach at the appropriate grade levels.

(c) Each teaching major or field of specialization shall include provision for a systematic program of evaluation procedures to determine the degree of a student's attainment of teaching competencies. These evaluation procedures shall serve as the basis for recommending a teacher candidate for the appropriate teacher certificate.

(f) Each teaching major or field of specialization shall be supported by facilities, equipment, library, and media resources.

(g) A schedule to implement the planned program of courses, including appropriate field and laboratory experiences, shall be provided.

(h) Each teaching major or field of specialization shall be staffed by faculty members who have graduate training and experience in the subject matter of that area of the public school curriculum.

(a) Each individual program of teaching specialization shall:

(1) Be assigned to a designated unit of the teacher education institution; and

(2) be based upon a written statement of program objectives. The program objectives shall be prepared by the faculty and shall be based on an analysis of current practices and recommendations of professional organizations representing the field.

(b) Each program of study constituting an individual program of teaching specialization shall:

(1) Consist of a sequentially-planned curriculum available in printed publications such as catalogs and handbooks;

(2) be identified in course outlines, schedules, and syllabi kept on file in the appropriate departmental or administrative offices;

(3) be designed to produce the competencies needed to successfully teach at the appropriate grade levels;

(4) include a planned sequence of early field experience, including classroom observation, directed laboratory experiences, and teacher assistance. This planned sequence shall include a variety of classroom settings; and

(5) include systematic evaluation procedures which will serve as a basis for recommending teacher education students for teacher certification.

(c) Each individual program of teaching specialization shall be supported by:

(1) Faculty who have graduate-level preparation in that discipline;

(2) specialized methods of instruction taught by faculty who have experience in and knowledge of specific levels of instruction; and

(3) adequate facilities, including library resources, laboratory and other equipment, and instructional media. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1987.)

91-1-83. Aerospace education. (a) Each applicant for an aerospace education endorsement at the secondary level shall have successfully completed a state-approved program in aerospace education; shall possess secondary endorsement in another area; and shall be recommended by a teacher education institution. The aerospace endorsement shall be granted only for the secondary level.

(b) Approved programs shall require students to complete a course of study allowing the students to acquire:

(1) Knowledge of aerospace, aeronautics and air transportation. The course of study shall allow students to acquire the ability to:

(A) Explain the methods and concepts of aerospace, aeronautics and air transportation; and

(B) identify contributions leading to present day technology and trends in aviation.

(2) Knowledge of meteorology and astronomy. The course of study shall allow students to acquire the ability to:

(A) Identify and apply the concepts of world weather patterns, storms and forecasting as related to aviation and aerospace; and

(B) describe the principles of astronomy and how the manner in which astronomy relates to aviation and aerospace.

(3) Knowledge of aviation education. The course of study shall allow students to acquire the ability to:

(A) Develop and evaluate curriculum for aviation education; and

(B) develop and demonstrate the use of teaching materials, resources and techniques for aviation education. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1986; amended May 1, 1987.)

91-1-108b. General mathematics. (a) Each applicant for a general mathematics endorsement at the secondary level shall have completed a state-approved program to teach in general mathematics and the fundamentals of algebra and geometry and shall be recommended by a teacher education institution.

(b) Approved programs shall require students to complete a course of study allowing the students to:

(1) Acquire knowledge of the structure of the real number system and its application. The course of study shall allow students to acquire the ability to:

(A) state and apply the field properties of the real number system;

(B) use the field properties in developing and justifying the algorithms and concepts of arithmetic and algebra;

(C) solve linear and quadratic equations, systems of linear equations and equations involving radicals;

(D) perform functional operations of addition, subtraction, multiplication, and division on polynomial functions with real coefficients;

(E) construct and interpret graphs of single-variable functions; and

(F) utilize matrices to organize and manipulate data.

(2) Acquire knowledge of geometric concepts. The course of study shall allow students to acquire the ability to:

(A) apply informal geometric concepts to physical world experiences;

(B) solve problems using metric and non-metric properties;

(C) construct simple geometric figures;

(D) recognize and construct proofs involving mathematical concepts and principles;

(E) use the principles of transformational geometry;

(F) identify the undefined terms, definitions, assumptions and major theorems of Euclidean geometry; and

(G) describe the axiomatic approach to developing a geometric system.

(3) Acquire knowledge of probability and statistics. The course of study shall allow students to acquire the ability to:

(A) calculate the total number of possible outcomes of a random experiment by using counting techniques involving permutations and combinations;

(B) state the probability axioms and calculate the probabilities of simple and compound events;

(C) define and calculate conditional probabilities;

(D) draw graphs such as histograms and frequency curves to represent a set of data;

(E) determine the normal distribution and binomial distribution;

(F) use the sample mean to estimate the population mean; and

(G) identify uses and abuses of statistics in various fields.

(4) Acquire computer programming techniques and applications. The course of study shall allow students to acquire the ability to:

(A) identify the uses and limitations of computers;

(B) identify and explain the general function of the fundamental components of a computer system;

(C) design and code computer programs in a high-level programming language; and

(D) design and select software for use in mathematics education and integrating it into the curriculum.

(5) Acquire problem-solving techniques. The course of study shall allow students to acquire the ability to:

(A) design appropriate mathematical models which represent or describe practical problems from the natural sciences, social sciences, business, or technology;

(B) estimate, determine, and interpret solutions as they apply or relate to practical problems;

(C) use calculators and computers in problem-solving and in exploring and developing mathematical concepts; and

(D) apply the tools and techniques of measurement for the collection and analysis of data.

(6) Acquire knowledge of the historical development of mathematical ideas. The course of study shall allow students to acquire the ability to:

(A) trace the historical development of mathematical topics appropriate for this level;

(B) identify the contribution to mathematics made by prominent mathematicians; and

(C) identify the contribution of various cultures to the development of mathematical principles and philosophies.

(7) Acquire methods of teaching secondary mathematics. The course of study shall allow students to acquire the ability to:

(A) organize and present mathematical ideas in various teaching styles;

(B) identify and construct evaluation instruments appropriate to assessing student learning of skills, concepts, facts, and problem-solving;

(C) diagnose problem areas and prescribe remedial activities in mathematics for students at all levels of ability;

(D) identify instructional materials used in the teaching of mathematics;

(E) identify professional mathematics organizations and describe their contribution to the teaching of mathematics; and

(F) identify and apply current and emerging trends in secondary mathematics education.

(c) Prior to May 1, 1987, any institution may request that its ~~middle level~~ general mathematics program be approved by the state board under the provisions of this regulation.

(d) On and after May 1, 1987, any institution desiring to have an approved ~~middle level~~ general mathematics program shall meet the requirements of this regulation. (Authorized by and implementing Kansas Constitution, Article 6, Section 2(a); effective May 1, 1985; amended June 11, 1986; amended May 1, 1987.)

91-1-112. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-113. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-114. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-115. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-116. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-117. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-118. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January

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8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-119. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-124. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-126. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-132. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-135. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-137. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-138. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-139. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-141. Innovative and experimental programs.

(a) Any teacher education institution desiring to offer an innovative, ~~or~~ experimental program designed to prepare educational personnel for new types of positions for which no program exists, or to develop a new approach or method for the preparation of education personnel in an existing program, shall make a written request to the state board for the approval of the program. The request shall include the assumptions, rationale, and objectives upon which the proposed program is based, following:

(b) (1) Each program shall be based upon a written statement of the purpose and objectives of teaching objectives in this area of the public school curriculum the area, including a description and upon a well formulated statement of the nature of the type of public school program that is would be needed to accomplish these objectives. These statements This material shall be prepared cooperatively by the agencies concerned with teacher education, and shall be based on analyses of current practices and trends in this field of the public school curriculum and be available in writing the area.

(c) (2) Each program shall include a clearly formulated A written statement of the competencies needed

by teachers educational personnel in this area of the the public school curriculum program. These competencies shall include the required attitudes, knowledge, judgement, understanding, and skills necessary for required for a beginning teacher. This statement of competencies shall be available in writing and be based upon the purpose and objectives of the program.

(d) (b) The administrative structure of the innovative-experimental program shall be such that responsibility for the program is vested in the preparing institution.

An institution which accepts responsibility for the education of teachers shall establish and designate the appropriate division, school, college, or department within the institution to act within the framework of general institutional policies on all matters relating to such programs.

(e) (c) An Each innovative-experimental program shall include a description of the curricula process by under which educational personnel will be prepared and evaluated, provision for keeping records of students' and the educational personnel's progress in the program, and arrangements for systematic review of the process at stated intervals, by representatives of both the institution and the state board.

(f) (d) An innovative-experimental program shall be supported by identified human and physical resources. The continuing availability of the resources shall be assured for the duration of the program. Any resources not under the control of the teacher education institution shall be outlined and confirmed by the controlling agency.

(g) (e) An innovative-experimental program shall include a timetable which sets forth a starting and termination date for the program as follows:

- (1) The sequence of activities that will occur;
- (2) the anticipated schedule of evaluative check points;
- (3) identification of competencies to be completed by the students; and
- (4) provisions for program design changes at selected intervals in the program.

The timetable shall give the approximate dates on which periodic program reports are to be submitted to the appropriate institutional officials and to the state board.

(h) (f) An innovative-experimental program shall provide for continuing evaluation with definite provisions for performance criteria and for follow-up, at specified intervals. The evaluation plan must shall include definition and specification of the kinds of evidence that will be gathered and reported. The evaluation shall provide information to identify areas in the programs that need strengthening and to suggest new directions for program development.

(i) Types of programs. "Innovative and experimental programs" shall include, but not be limited to, programs designed to:

- (1) Develop new approaches, new arrangements, or new contexts for the preparation of school personnel;
- (2) Prepare school personnel for new types of positions that are emerging on the educational scene;

(3) Meet the special needs of particular segments of our society, including:

- (A) Urban education;
 - (B) Correctional education;
 - (C) Bilingual education;
 - (D) Education of socio-economically disadvantaged, rural, and urban;
 - (E) Minority group education; or
 - (F) Adult education; and
- (4) Develop specific curricular areas for which recognized standards have not been developed, including:

- (A) Career education;
- (B) Environmental education;
- (C) Drug abuse education; and
- (D) Aerospace education. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1987.)

91-1-142. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked May 1, 1987.)

91-1-146a. Inservice education definitions.

(a) "Education agency" means ~~any~~ a local school district, accredited non-public school, ~~interlocal cooperative~~, area professional development center, institution of postsecondary education which is authorized to award academic degrees, the Kansas state department of education and any other organization which serves school districts, and any other educationally oriented agency under the authority of the state board of education.

(b) "Individual development plan" means a plan describing the professional development activities and studies to be completed during a specified period of time by the individual filing such a plan.

(c) "Inservice education" means any planned learning opportunity which is engaged in by a person, after entry into a given position, for the purpose of improving effectiveness or upgrading skills in an area of certification.

(d) "Inservice education plan" or "plan" means a detailed and precise program for provision of inservice education. The plan shall be effective for five years.

(e) "Inservice education point" means one clock hour of inservice education. One semester hour of college or university credit is equal to 20 inservice points.

(f) "Professional development council" means a representative group of certified personnel from the education agency which advises the governing body of the education agency in matters concerning the planning, development, implementation, and operation of the inservice education plan. (Authorized by; and implementing ~~Kansas Constitution~~ Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amend May 1, 1987.)

91-1-146c. Inservice education professional de-

velopment council. (a) A Each professional development council shall:

(1) Be representative of the employed certified personnel; and

(2) include at least as many teachers as administrators and both shall be selected solely by the group they represent.

(b) The council shall:

(1) Develop operational procedures;

(2) develop a plan which shall be approved by the governing body of the education agency based upon criteria established by and available from the state board of education; and

(3) recommend to the governing body of the education agency approval or disapproval of individual plans for renewal of certification. (Authorized by; and implementing ~~Kansas Constitution~~ Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

91-1-146d. Renewal of certification based upon inservice education. (a) Any certified applicant who is employed by an education agency having a state-approved inservice education plan on file with the Kansas state department of education may prepare an individual development plan. This individual development plan shall:

(1) Include sequential instructional experiences designed to improve performance in an area of certification or include courses in a planned program leading to a new endorsement;

(2) reflect the job-related needs of the individual;

(3) correlate with the needs and goals of the education agency;

(4) result from cooperative planning with a designated supervisor;

(5) be signed by the employee;

(6) be signed by the supervisor, if the supervisor and the employee are in agreement;

(7) be reviewed and approved by the council, based upon guidelines adopted by and available from the state board; and

(8) be reviewed and approved by the governing body of the education agency.

(b) Area professional development centers providing inservice education for certification renewal shall provide the inservice education through a local school district, an accredited non-public school, ~~an interlocal cooperative~~, or any other educationally oriented agency under the authority of the state board of education, an institution of postsecondary education or another education agency which has a state-approved inservice education plan.

(c) Renewal of certification based upon inservice education shall require:

(1) Each individual whose highest degree is a baccalaureate degree to have experiences worth at least 160 inservice education points during a five-year period, half of which shall be college or university credit.

(2) college or university credit equal to at least half

(continued)

of the required inservice education points, if the individual's highest degree is a baccalaureate degree;

(3) (2) Each individual having a master's degree or other advanced degree shall have experiences worth 160 120 inservice education points, during a five-year period, if the individual has a master's degree or other advanced degrees; or

(4) (3) Experiences worth at least 100 inservice education points during a five-year period for a renewal of a substitute teaching endorsement.

(A) A substitute teacher may earn all 100 points through inservice education.

(B) A substitute teacher employed for any period of time by an education agency having a state-approved inservice education plan may participate in that district's inservice education plan.

(d) An application for renewal of a certificate based upon inservice education shall be accompanied by verification by the governing body of the education agency that the inservice credit is valid for renewal of a certificate.

(e) An applicant who is not eligible under subsection (a) of this regulation for renewal of a certificate using inservice education or whose certificate has lapsed shall meet the provisions of S.B.R. 91-1-30(b) for the renewal of a certificate. (Authorized by; and implementing Kansas Constitution Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987.)

91-31-1. Definition of terms. (a) "Accredited-advised" means failure of the school to meet one or more state board accrediting regulations.

(b) "Accredited-warned" means failure of the school to correct the previous year's deficiency, or failure to comply with Kansas statutes.

(c) "Board of education" means the board of education of any unified district or the governing body of any nonpublic school.

(d) "Class period" means a segment of the school day regularly scheduled for instruction in a designated subject. The length of time of the period may vary according to the type of subject and pattern of scheduling.

(e) "Daily program" means the schedule of classes taught by teachers during the school day.

(f) "Lawful custodian" means a parent, stepparent, foster parent, guardian or other person who has legal custody of a child or who is liable by law to maintain, care for or support the child or who is related to the child.

(g) "Library media" means printed and audiovisual forms of communication and their accompanying technology.

(h) "Library media center" means the service area which houses both the library and the audiovisual services.

(i) "Library media program" means the complete instructional program and other services furnished to pupils and teachers by a library media specialist.

(j) "Library media specialist" means a person who holds a valid certificate with the appropriate endorsement for that person's level of assignment and who

directs the library media program in its entirety or specializes in either the print or nonprint areas of the program.

(k) "Principal" "Building administrator" means a person having the administrative and supervisory responsibilities for a school or schools.

(l) "Program of studies" means those courses of instruction offered in a school during the year.

(m) "School" means an attendance facility under the control of a board of education.

(n) "School year" means the 12-month period ending June 30.

(o) "Special education state plan" means the state plan for special education services authorized by K.S.A. 72-933 *et seq.*, as amended and supplemented.

(p) "State board" means the state board of education.

(q) "Superintendent" "District school administrator" means the chief administrative officer appointed by the board of education of the district who is responsible for administrative and supervisory duties for all units of organization within the district and who has charge and control of the schools and their personnel.

(r) "Teacher" means a person who holds a valid certificate with the appropriate endorsement or endorsements for that person's level of assignment.

(s) "Unified course" means a course that is organized and taught by one or more teachers and that includes content from two or more subject areas.

(t) "Unit of credit" means one unit of credit earned for satisfactory completion of any approved subject taught for a minimum of 40 minutes daily, five periods a week for 36 weeks, or 120 clock hours. One-half unit of credit is earned for approved subjects taught for a minimum of 40 minutes daily, five periods a week for 18 weeks, or 60 clock hours. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1984; amended May 1, 1987.)

91-31-2. Procedures for accrediting schools. (a) (1) Each board of education seeking initial accreditation shall make application in writing to the state board requesting the proper forms for accreditation. The letter shall be submitted on or before August 15 of the school year in which the school requests accreditation. Accreditation shall be for one school year.

(2) Each school requesting accreditation shall file the principal's building administrator's building report and other reports required by the state board. The building report shall be filed no later than on or before October 1. Intentional falsification of any report may result in denial or loss of accreditation.

(b) Each school shall meet the provisions of Kansas statutes and the state board of education rules and regulations.

(c) The accreditation status of each school shall be determined on the basis of data provided in official reports of the affected respective school, applying for accreditation. The official reports shall include the including the superintendent's district school administrator's report and principal's the building adminis-

trator's building report, reports from the state department of education specialists, the report of the state department of health and environment, the report or order of the state fire marshal, and other official or special reports regarding the local school that may be requested by the state board.

(d) Each school shall be accredited or, if any deficiencies exist, shall be placed on accredited-advised or accredited-warned status, or dropped from the accredited list by the state board. Each school shall report, ~~each year, annually,~~ the progress made to correct any deficiencies cited the previous year. ~~For any violation,~~ The state board shall issue an accreditation advisement the first year for any violation. If there is continued noncompliance during the second school year, the state board shall issue an accreditation warning. If the deficiency is not corrected by the following school year, the state board shall drop the violating school or schools from the accredited list.

(1) Each school desiring accreditation shall comply with the provisions of K.S.A. 72-9001 *et seq.*, as amended, by filing ~~their~~ its personnel evaluation policies, and any amendments to those policies, with the state board. Failure to file personnel evaluation policies, or any amendments thereto, or noncompliance with the personnel evaluation policies that are filed, may result in denial or revocation of accreditation. The state board shall issue an accreditation advisement the first year for any violation. If there is continued noncompliance during the second school year, the state board shall issue an accreditation warning. If the deficiency is not corrected by June 30 of the following school year, the state board shall drop from the accredited list any school or schools which remain in violation.

(2) The failure of any board of education to comply with the decision of the state board regarding approval of an application for out-district tuition, as provided in K.S.A. 72-4418 and K.A.R. 91-16-1 *et seq.*, shall be considered due cause for the state board to drop, without warning, all schools within the district from the accredited list, effective the following June 30.

(e) ~~During the school year, but not later than March 15 of the year,~~ Any school with deficiencies shall be notified by the state board on or before March 15 of the school year. All official accreditation notices indicating deficiencies shall be mailed to the ~~superintendent district school administrator.~~ Deficiencies identified after March 15 as a result of investigating a complaint shall be entered into the accreditation file after notifying the ~~superintendent district school administrator,~~ and shall be included in the official June 30 accreditation or non-accreditation notice.

(f) Any school which is correcting deficiencies shall not be cited in the accreditation process for the semester the deficiency ~~was~~ is corrected. Responses from schools regarding the correction of deficiencies shall be filed with the state board ~~no later than on or before April 1,~~ except for those deficiencies identified after April 1 as a result of investigating a complaint.

(g) The accreditation of each school shall be effective as of June 30 of the year in which granted and

shall remain in force for one year, unless changed by action of the state board.

(h) High schools shall be accredited by the state board and designated either accredited, or accredited-comprehensive, or accredited-exemplary.

(1) Accredited. Each accredited high school shall maintain, offer and teach at least 30 units of credit in grades nine through 12, as reported on September 15 20 of the year in which accreditation is granted. Those high schools organized on a grades 10 through 12 plan may count units taught in grade nine. Each accredited high school shall meet the following requirements:

(A) The 30 units of credit shall be taught each year in separate classes. Correspondence credits shall not be counted as part of the 30 units requirement.

(B) ~~When the~~ If a unit is taught in more than one section, only one unit of credit shall be counted as a part of the 30 required units of credit.

(2) Accredited-comprehensive. An accredited-comprehensive high school shall maintain, offer, and teach a minimum of 50 units of credit in grades nine through 12, as reported on September 15 20 of the year in which accreditation is granted. Those high schools organized on a grades 10 through 12 plan may count units taught in grade nine. Each accredited-comprehensive high school shall meet the following requirements:

(A) The 50 units shall be taught each year in separate classes. Correspondence credits shall not be counted as part of the 50 units requirement.

(B) ~~When the~~ If a unit is taught in more than one section, only one unit of credit shall be counted as a part of the 50 required units of credit.

(3) Accredited-exemplary. Secondary schools may be recognized in the accreditation process as accredited-exemplary schools provided such schools complete a program approved by the state board of education pertaining to evaluation-assessment and the development of school improvement plans.

(4) On application from the local board of education, any high school teaching less than 30 units of credit, as reported in the September 15 20 school principal's building administrator's building report, shall be dropped from the accredited list by the state board on or before November 15 of that school year.

(i) Each elementary school, to be accredited, shall have a minimum enrollment of 10 pupils on September 15 20 of the current school year. Each elementary school may be accredited-exemplary if it meets the requirements of S.B.R. 91-31-2(h)(3). ~~On application from the board of education,~~ Any elementary school with an enrollment of less than 10 pupils on September 15 20, shall be dropped from the accredited list by the state board on or before the following November 15.

(j) Except as provided by S.B.R. 91-31-2(d)(2) and S.B.R. 91-31-11, any school which has received an accreditation warning shall be dropped from the accredited list by the state board if the deficiency or deficiencies are not corrected by June 30 of the following school year.

(k) At the regular June meeting of the state board,

(continued)

the commissioner of education shall recommend to the state board any action to be taken regarding the accreditation of schools. When the commissioner of education recommends non-accreditation of any school, the commissioner shall notify the president and clerk of the board of education, and the ~~superintendent district school administrator~~ no later than on or before May 15. The board of education shall be given an opportunity at the June meeting of the state board to present reasons why the school should be accredited. When a school has been denied accreditation, the state board of education shall have five days after the June board meeting in which to send an official notice of denial of accreditation. The notice shall be sent by the commissioner of education, by restricted mail, to the president and clerk of the board of education and the ~~superintendent district school administrator~~, with return receipt requested.

(1) Any school denied accreditation effective June 30 may, upon the written request of the board of education, be given tentative accreditation status by the state board, to be effective the following August 15, if the deficiencies causing denial of accreditation have been corrected. The letter shall be signed by the president and clerk of the board of education, shall provide evidence that all deficiencies have been corrected, and shall be filed with the commissioner of education at least three weeks prior to the regular August meeting of the state board. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987.)

91-31-4. Organization; special, exemplary or innovative programs; waiver of regulations. Schools that have special, exemplary or innovative programs that do not meet all accreditation regulations may, prior to the beginning of the school term, request approval from the state board to conduct those programs. Approval shall be granted if the ~~superintendent district school administrator~~ has submitted the proposed program in writing, and the program includes:

(a) A statement citing how the program would be curtailed or prohibited if regulations of the state board are applied to the program;

(b) evidence that the goals and objectives of the program fall within statewide education goals defined by the state board;

(c) evidence that the program adopted is in compliance with Kansas statutes;

(d) evidence that the evaluation procedures for the program are identified in advance and provide valid and objective data for assessing its success; and

(e) evidence that all teachers of such programs have met criteria established by the state board.

The state board shall notify the ~~superintendent district school administrator~~ in writing of approval or denial of the program. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended (temporary) July 12, 1985; (permanent) May 1, 1986; amended May 1, 1987.)

91-31-5. Summer school programs. Summer

school programs shall be submitted for approval on forms provided by the state board and shall meet the following requirements: (a) Administration. Summer school programs shall be under the supervision of an administrator who holds a valid certificate with the appropriate endorsement for that level of assignment.

(b) Summer school notification. Districts planning to operate a summer school program shall notify the state board ~~by~~ on or before May 1 of each year.

(c) Scholastic records. Permanent scholastic records shall be maintained for summer school sessions.

(d) Summer school report. Each district shall ~~make~~ submit a report to the state accreditation unit, on forms furnished by the state board, ~~not~~ no later than 10 days after the first day of summer school.

(e) Curriculum.

(1) Subjects may be offered for enrichment, makeup purposes, or to obtain credit for courses not available during the regular school term.

(2) Courses taught in the summer school program shall include the same content and achievement standard as similar courses taught in the regular school term.

(f) Enrollees.

(1) Permission. A pupil desiring to enroll in summer school for credit shall obtain permission from the principal building administrator of the pupil's parent school.

(2) Subject prerequisites. Admission to summer school courses shall be subject to the recognized prerequisites in the ~~several~~ school subject areas.

(3) Correspondence courses. Pupils shall obtain prior approval from their parent school ~~principal~~ building administrator before enrolling in correspondence courses for credit.

(g) Summer school instructors. Each teacher in an approved summer school shall hold a valid certificate with the appropriate endorsement for the teacher's level of assignment.

(h) Requirements for credit. This ~~section~~ subsection shall not apply to elementary schools.

(1) Time required for repeated subjects and new subjects.

(A) One unit of credit shall be earned for those courses which meet for a total of 120 clock hours.

(B) One-half unit of credit shall be earned for those courses which meet for a total of 60 clock hours.

(C) Time for makeup work for one unit of credit or one-half unit of credit shall be at least one-half the time requirement for a regular school term course.

(D) Instructional time for credit shall be exclusive of registration, holidays, and break time.

(2) Driver education. Any school may offer an approved course in driver education during the summer term, and the instruction shall be administered and supervised by the school as provided by Kansas statutes.

(i) Schools shall be accredited, or if any deficiencies exist, accredited-advised, accredited-warned, or dropped from the accredited list by the state board as provided by S.B.R. 91-31-2(d).

(j) ~~During the school year, but not later than March 15 of the year,~~ Any school with deficiencies shall be

notified by the state board on or before March 15. All official accreditation notices indicating deficiencies shall be mailed to the ~~superintendent~~ district school administrator. Deficiencies identified after March 15 as a result of investigating a complaint shall be entered into the accreditation file, after notifying the ~~superintendent~~ district school administrator, and shall be included in the official June 30 accreditation or non-accreditation notice.

(k) Responses from schools regarding the correction of deficiencies shall be filed with the state board ~~no later than~~ on or before April 1 of the year following the year in which the reports were submitted, except for those deficiencies identified after this date as a result of investigating a complaint.

(l) The accreditation of a school shall be effective as of June 30 of the year following the year in which the forms are filed and shall remain in force for one year unless changed by action of the state board. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1984; amended May 1, 1987.)

91-31-6. Administration. (a) Admission. Any pupil transferring from or completing a course of study in an accredited school shall be eligible for admission to another accredited school. Schools shall accept pupils from unaccredited schools in accordance with the provisions of subsection (b).

(b) Placement. Placement of pupils in the education program shall be determined according to the policy of the board of education. ~~and the policy shall include~~ The following criteria shall be used in determining placement:

- (1) past education experience record;
 - (2) successful performance at the level of assignment; or
 - (3) examinations administered by the local district.
- (c) Promotion. Promotion shall be determined according to the policy of the board of education.

(d) Pupil records. Accurate and complete records of scholarship, attendance and activities shall be kept in a safe or fire-resistant compartment. Except as provided by K.S.A. 72-5386, when a pupil transfers or is promoted to another school within or without the school district, academic records shall follow the pupil on request. Pupil records shall be maintained and released in compliance with the right to privacy act as provided by K.S.A. 72-6214.

(e) Teacher records. An individual teacher record including a current college transcript or transcripts, certification, tenure, salary, retirement status and other personnel data shall be on file as directed by the board of education.

(f) Activity funds. A complete record of activity funds shall be maintained.

(g) Surety bonds. Each person responsible for the receipt and disbursement of money shall be bonded with a surety bond in an amount fixed by the board of education which shall be approved and paid by the board of education.

(h) Auditing. In addition to persons authorized to make audits under K.S.A. 75-1122 *et seq.*, as amended,

accounts shall also be subject to audit by state board of education auditors.

(i) Sales tax. A permanent record shall be maintained showing sales and admissions for which sales tax is paid as required by Kansas statutes.

(j) Inventories. Inventories of all equipment, apparatuses, books, and supplies shall be on file.

(k) Activities program. The activities program shall be under the supervision of the ~~principal~~ building administrator.

(l) Display of flags. ~~Schools~~ Each school shall fly the United States flag and a Kansas flag as provided by K.S.A. 73-701 and 73-706.

(m) Adherence to health laws. ~~All schools~~ Each school shall adhere to the provisions of Kansas school health statutes, K.S.A. 72-1204 *et seq.*, as amended, and K.S.A. 72-5201 *et seq.*, as amended.

(n) Observance of fire, safety and tornado laws. Fire and safety provisions of K.S.A. 31-132 *et seq.*, as amended, shall be observed. Schools shall establish tornado procedures and conduct tornado drills as provided by regulations promulgated by the state fire marshal under K.S.A. 1982 Supp. 31-133.

(o) School transportation. Transportation of pupils shall comply with Kansas statutes and the rules and regulations published by the Kansas department of transportation.

(p) Length of school year. The length of the school year shall be at least 180 days taught or 1080 hours taught as provided by K.S.A. 1982 Supp. 72-1106(a)(2).

(q) Length of school day. The length of the school day shall be at least six hours except as provided by K.S.A. 1982 Supp. 72-1106. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

91-31-7. Staff. (a) ~~Superintendent~~ District school administrator. (1) All schools in a district shall be under the supervision of a ~~superintendent~~ district school administrator who holds a valid certificate with the appropriate endorsement for that assignment, ~~and who~~ The district school administrator shall be assigned at least one-half time to administration and supervision of the schools in the district.

(2) A school district with an enrollment of less than 300 students may also assign the ~~superintendent~~ district school administrator as elementary and high school ~~principal~~ building administrator.

(b) ~~Principals~~ Building administrators. ~~Principals~~ Building administrators shall be employed by the board of education under a written contract and shall hold valid certificates with the appropriate endorsements for their levels of assignment.

(c) Assistant ~~principal~~ building administrator. In schools where the ~~principal~~ building administrator requires assistance because of administrative responsibilities, staffing patterns shall include the services of an assistant ~~principal~~ or ~~principals~~ building administrator.

(d) Alternative administrative plan; management by objectives. As an alternative to S.B.R. 91-31-12a(b) and

(continued)

91-31-14a(d), the board of education may develop and disseminate an administrative plan based upon management by objectives. The plan shall be in writing and set out the goals, objectives and expected outcomes for the administrative assignment and be in agreement with statewide educational goals as adopted by the state board, as well as with recognized educational concepts and practices. There shall be broad-based community involvement in the plan. The plan shall provide for the services of a principal building administrator who shall be assigned the necessary time to perform administrative responsibilities, and shall indicate the amount and kinds of supportive services available to supplement particular administrative responsibilities. The plan shall be approved by and filed with the state board.

(e) Teachers. Teachers shall be employed and compensated according to the provisions of Kansas statutes.

(f) Aides. Non-certified personnel may be employed to supervise pupils in noninstructional activities, as required provided by K.S.A. 1982 Supp. 72-1106, and shall work under the supervision of certified personnel. Instructional paraprofessionals hired as special teachers in special education services shall be authorized to assist certified personnel in the instruction of exceptional children as provided by K.S.A. 1982 Supp. 76-962 and the state plan for special education. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

91-31-12a. Accreditation regulations applicable to high schools. (a) Organization.

(1) Each high school shall be organized to include at least grades 10, 11 and 12 and may include grades seven through 12 in its organization. Any closing or change in the use of a school building shall be in compliance with the provisions of K.S.A. 1984 Supp. 72-8213.

(2) Each high school shall organize its program on the basis of units of credit as defined in S.B.R. 91-31-1.

(b) Staff.

(1) Principal Building administrator. Except as provided in S.B.R. 91-31-7(a)(2), each high school enrolling 200 or more pupils shall have a principal building administrator who spends at least five clock hours each day in administrative and supervisory responsibilities. Each high school enrolling fewer than 200 pupils shall have a principal building administrator who spends at least three clock hours each day in administrative and supervisory responsibilities.

(2) Teachers. All teachers shall hold valid certificates with the appropriate endorsements for their level of assignment; ~~except that, until May 1, 1987, any high school may assign one or more teachers to teach computer studies even though these teachers have not been granted the computer studies endorsement.~~ (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended (temporary) July 12, 1985; (permanent) May 1, 1986; amended May 1, 1987.)

91-31-12b. Granting credit. (a) Determination of

course credit shall be made according to the certification status of the teacher. Student credit shall be granted for:

(a) (1) Successfully completing class work;
(b) (2) passing examinations administered by the district; and

(c) (3) participation in the programs outlined by S.B.R. 91-31-12c through 91-31-12g, inclusive.

(d) (b) Athletic practices. Athletic practice for competition shall not be counted for physical education credit.

(e) (c) Correspondence credit. Correspondence credit, except in those courses required by K.S.A. 72-1103, and any amendments to that statute, may be earned from any school or institution with the approval of the school principal building administrator within guidelines established by the board of education. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

91-31-12e. Adult education. High school credit shall be granted for adult courses of study provided if the following requirements of this regulation are met:

(a) ~~The granting of Credit shall be granted to the student is based on achievement tests, and the judgment of the instructor, and with the approval of the principal building administrator. Granting of The amount of credit granted for achievement tests shall be equal to that required of given to high school pupils students in the regular school program.~~

(b) ~~the participants~~ Any participant in an adult classes class may qualify for credit under one of the following eligibility classifications if the participant:

(1) ~~Enrollment may be extended to any person is 17 years of age or over who ;~~

(2) has not completed the twelfth grade; and

(3) has been out of school at least one semester; and if the enrollee

(4) is unable to participate in a regular high school program; or

(c) ~~credit~~ Credits earned may be counted toward meeting the requirements for a high school diploma. If the credit is to be applied toward a diploma to be granted by a school other than the one in which the credit is offered, the principal building administrator of each school involved shall approve the enrollment; and

(d) ~~the~~ Each instructor holds shall hold a valid certificate with the appropriate endorsement for that level of assignment. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

91-31-12g. Military credits. Kansas high schools may grant credit toward graduation for the following types of education experiences received while in the military services:

(a) Secondary courses offered by the United States armed forces institute (U.S.A.F.I.);

(b) courses in the marine corps institute;

(c) courses in the coast guard institute;

(d) one unit of physical education for basic or recruit training;

(e) ~~correspondence course or courses from schools and institutions approved by the state board; or~~ Correspondence courses, except in those courses required by K.S.A. 72-1103, and any amendments to that statute. Correspondence credit may be earned from any school or institution with the approval of the school building administrator within guidelines established by the board of education; or

(f) vocational courses offered by armed forces schools. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

91-31-12h. Graduation. (a) (1) Each pupil shall be eligible for graduation upon completion of the following requirements:

(A) Four units of English language arts. Beginning with the 1988 graduating class, three units shall be in English. When, in the judgment of the high school ~~principal~~ building administrator, a pupil can profit more by taking another subject, the ~~principal~~ building administrator may waive up to one unit of this requirement;

(B) two units of social studies, which shall include one unit of United States history and at least one-half unit of United States Government, including the constitution of the United States. Beginning with the 1988 graduating class, three units of social studies shall be required, which shall include one unit of United States history and at least one-half unit of United States government, including the constitution of the United States;

(C) one unit of science as a laboratory course. Beginning with the 1988 graduating class, two units of science shall be required, including one unit as a laboratory course;

(D) one unit of mathematics. Beginning with the 1988 graduating class, two units of mathematics shall be required;

(E) one unit of physical education, which may include one-half unit of health, safety, first aid, or physiology. This requirement shall be waived:

(i) upon a statement by a licensed physician that a pupil is mentally or physically incapable of participating in a regular or modified physical education program; or

(ii) when the requirement is contrary to the religious teachings of the pupil. A written statement, signed by a lawful custodian of the pupil, shall be filed with the proper authorities of the school, requesting that the pupil not be required to participate in the activities and stating the reason for the request; and

(F) eight units of elective courses. Beginning with the 1989 graduating class, nine units of elective courses shall be required.

(2) A total of 21 units of credit shall be required for the 1989 graduating class. A total of 20 units of credit shall be required for the 1988 graduating class. A total of 17 units of credit shall be required for graduation for those students in classes which will graduate prior to 1988.

(3) Beginning with the 1984-85 school year, any additional requirements of the board of education that increase the number of units of credit required for graduation shall apply to those students who will be in the ninth grade class the following school year.

(b) The governing body of the district may set alternative graduation policies, which shall be in writing and adopted by the board of education, which indicate that a pupil will be eligible for graduation upon the completion of at least the minimum total units of credit required by (a)(2), or the equivalent. The required units of credit shall include one unit of United States history and at least one-half unit of United States government, including the constitution of the United States, pursuant to K.S.A. 72-1103.

(c) Alternative graduation policies set by the board of education shall be in compliance with statewide educational goals, as adopted by the state board, and shall have broad-base community involvement in their formulation. These policies shall have state board approval prior to implementation in the district. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987.)

91-31-13. Accreditation regulations applicable to junior high schools. (a) Organization. (1) Each junior high school shall be organized to include at least two consecutive grades and may include grades six through nine. Any closing or change in the use of a school building shall be conducted in compliance with the provisions of K.S.A. ~~1984 Supp.~~ 72-8213.

(2) Each junior high school shall organize its ninth grade program on the basis of units of credit as defined in S.B.R. 91-31-1.

(b) Staff.

(1) Principal Building administrator. Except as provided in S.B.R. 91-31-7(a)(2), each junior high school enrolling fewer than 200 pupils shall have a ~~principal~~ building administrator who spends at least three clock hours each day in administrative and supervisory responsibilities. Each junior high school enrolling 200 or more pupils shall have a ~~principal~~ building administrator who spends at least five clock hours each day in administrative and supervisory responsibilities.

(2) Teachers. All teachers shall hold valid certificates with the appropriate endorsements for their level of assignment; ~~except that, until May 1, 1987, any high school may assign one or more teachers to teach computer studies even though those teachers have not been granted the computer studies endorsement.~~ (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983, amended (temporary) June 12, 1985; (permanent) May 1, 1986; amended May 1, 1987.)

91-31-14a. Accreditation regulations applicable to elementary schools. (a) Each elementary school shall conform to the provisions of K.S.A. ~~1984 Supp.~~ 72-1107, regarding age of entrance.

(b) Each accredited elementary school shall be organized to include any combination of grades kindergarten through nine. The middle school concept of

(continued)

organization shall be recognized as a consecutive combination of any grades five through nine. Kindergarten classes shall be organized separately from other grades and shall be organized on a basis of not less than two and one-half clock hours each day when in session. Any closing or changing the use of a school building shall be conducted in compliance with the provisions of K.S.A. 1984 Supp. 72-8213.

(c) Each accredited elementary school shall count no more than two 15-minute supervised recess periods per day, one during the mid-morning and one during the mid-afternoon, as part of the school term.

(d) Principal Building administrator. Except as provided in S.B.R. 91-31-7(a)(2), each elementary school shall have the services of a principal building administrator and shall meet the following requirements:

(1) In school buildings having more than 16 teachers, excluding the principal building administrator, the principal building administrator shall spend at least 80% of the school day on administrative duties.

(2) In school buildings having six to 16 teachers, excluding the principal building administrator, the principal building administrator shall spend at least one-half of the school day on administrative duties.

(3) In school buildings having fewer than six teachers, excluding the principal building administrator, time during the school week shall be reserved for the principal building administrator's administrative duties.

(4) For the purpose of determining the number of teachers in paragraphs (c) (1), (2), and (3), part-time teachers shall be counted on a fractional basis according to the amount of time spent by the teacher in the building.

(5) A district maintaining multi-elementary school attendance centers may assign a principal building administrator to serve more than one elementary attendance center provided the assignment is in accordance with subsection (d)(1).

(e) All teachers shall hold valid certificates with the appropriate endorsements for their level of assignment, ~~except that, until May 1, 1987, any middle school may assign one or more teachers to teach computer studies even though those teachers have not been granted the computer studies endorsement.~~

(f) Elementary schools which have an organized guidance program shall have the services of a certified counselor.

(g) The curriculum of each elementary school shall meet the provisions of K.S.A. 72-1101 and 72-1103 and requirements of the state board. Each elementary school shall have an organized physical education program. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended (temporary) July 12, 1985; (permanent) May 1, 1986; amended May 1, 1987.)

91-31-14c. Interscholastic activities. (a) Pupils below the sixth grade shall not be eligible to participate in interscholastic athletic competition.

(b) Any school may join the Kansas state high school activities association and participate under its rules and regulations. Any school which is not a member of

the K.S.H.S.A.A. shall comply with the requirements of this regulation.

(c) Sixth, seventh, and eighth grade pupils shall participate in interscholastic activities only according to the following requirements:

(1) The coaches shall be members of the teaching staff and each shall hold a valid certificate, ~~with the appropriate endorsements for their level of assignment.~~

(2) For any pupil to be eligible to participate in interscholastic activities, that pupil shall submit a physician's statement indicating the pupil is physically able to participate. Pupils shall compete in interscholastic athletics only with the written consent of a lawful custodian. Any student who participates on an organized team outside of school during the school year shall be ineligible for interscholastic school teams in that particular sport.

(3) In scheduling athletic contests, each school shall:

(A) schedule no more than eight interscholastic athletic contests in any one sport, exclusive of a tournament, in any one school year, unless otherwise specified in this regulation;

(B) schedule for each team no more than one interschool contest each week, exclusive of tournament games. One regularly scheduled game and one make-up game may be scheduled during the same week only once during the season; and

(C) have the approval of the school principal building administrator.

(4) Practice time shall not exceed one hour per ~~school day; and shall not be conducted during the school day.~~ Any practice session held between two schools shall not be considered as practice time but shall count as one of the allowed number of contests per season.

(5) Each student shall have the following activity limitations:

(A) Basketball. No sixth grade pupil shall participate in more than 32 quarters of play in interscholastic basketball, exclusive of a tournament, in any one year. In the seventh and eighth grades, each team or player shall be limited to a maximum of 14 games and no tournaments, or 12 games and one tournament, or 10 games and two tournaments. Quarters shall be a maximum of six minutes in length with a one-minute intermission between the first and second quarters and between the third and fourth quarters, and an intermission of 10 minutes between the second and third quarter. No pupil shall participate in more than four quarters of play on any one day, excluding overtimes.

(B) Softball and baseball. Regulation games shall be limited to five innings and eight days of play.

(C) Track and field events.

(i) Sixth grade. Track and field events. In any one meet, including relays, each pupil shall be limited to three of the following approved events: ~~Fifty meter dash, 75 meter dash, 100 meter dash, relays, broad jump, high jump, baseball, softball, basketball and football throw.~~ A sixth grade pupil shall not run more than one race of 100 meters in one day. Sixth grade

pupils shall be allowed to participate each year in only one track meet in which preliminary events are necessary. All jumps and vaults shall end in a soft landing pit. Any race or relay leg, except hurdles, of 400 meters or less; long jump, high jump, shot put (4 kg. shot), discus (1 kg.), and baseball, softball, basketball, and football throw. A sixth grader may not run more than a total of 600 meters in races, including relays, in one day. Sixth graders shall participate in no more than four track meets, only one of which may be where preliminary events are necessary. All jumps shall end in a soft landing pit.

(ii) Seventh and eighth grade pupils shall be limited to any three events per day. Seventh and eighth grade pupils are limited to no more than one race of 400 meters or more in one day. The longest race run shall be: 800 meters for pupils in the seventh grade and 1600 meters for pupils in the 8th grade. All jumps and vaults shall end in a soft landing pit.

(D) Gymnastics. Each pupil shall be allowed to participate each year in only one gymnastic meet in which preliminary events are necessary. No pupil shall participate in more than eight meets during a season, nor in more than two events per day. Each pupil shall be eligible to participate in the following approved events:

(i) Sixth grade. Tumbling and floor exercises only.

(ii) Seventh and eighth grades. Boys: side horse, vaulting, horizontal bars, parallel bars, floor exercise, tumbling. Girls: tumbling, vaulting, balance beam, uneven parallel bars, floor exercise.

(E) Boxing. Sixth, seventh and eighth grade boxing shall be prohibited.

(F) Touch or flag football. Quarters in touch or flag football, shall be a maximum of eight minutes in length with an intermission of 10 minutes at the end of the second quarter.

(G) Tackle football. Sixth grade tackle football shall be prohibited. Pupils in the seventh and eighth grades may play tackle football. Each school shall be limited to a maximum of seven games and each pupil shall be limited to 28 quarters. A pupil shall not participate in more than four quarters in one day. Quarters shall be a maximum of eight minutes in length with an intermission of 10 minutes at the end of the second quarter.

(H) Wrestling. Sixth grade wrestling shall be prohibited. Pupils in seventh and eighth grades may participate in wrestling. The school shall be limited to eight matches or no more than seven matches and one tournament, or no more than five matches and two tournaments. Weight divisions shall be 72 pounds, 76 pounds, 80 pounds, 84 pounds, 88 pounds, 92 pounds, 96 pounds, 100 pounds, 105 pounds, 110 pounds, 115 pounds, 120 pounds, 127 pounds, 133 pounds, 138 pounds, 145 pounds, 154 pounds, and heavy-weight. Maximum length of wrestling periods shall be one minute for the first period; 1½ minutes for the second period, and 1½ minutes for the third period. During overtime periods, the first period shall be 30 seconds, the second period 45 seconds, and the third period 45 seconds.

(I) Soccer and speedball. Quarters in soccer and speedball shall be a maximum of eight minutes in

length with an intermission of 10 minutes at the end of the second quarter. Each school shall be limited to a maximum of seven games and each pupil shall be limited to 28 quarters.

(J) Volleyball. The school shall be limited to eight days of participation.

(K) Golf. No pupil shall participate in more than seven days of inter-school competition during a season.

(L) Tennis. No pupil shall participate in more than seven days of inter-school competition during a season.

(M) Other events and activities. Events and activities not listed may be included in interscholastic activities if they meet the requirements of paragraphs (1), (2), (3), and (4) of subsection (c) of this regulation.

(d) Athletic leagues. Athletic leagues may formulate their own rules and regulations which shall be in compliance with this regulation.

(e) Physical education. Interscholastic team practice shall not be conducted during physical education classes. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987.)

91-31-15. District accreditation regulations for unified school districts. (a) Requirements. Each school district desiring to be accredited on a district-wide basis pursuant to K.S.A. 72-1114, *et seq.*, shall meet the following requirements:

(1) Request and receive permission from the state board to conduct a district-wide evaluation program;

(2) follow prescribed state board evaluation procedures; and

(3) report annually on forms provided by the state board.

(b) Procedure.

(1) School districts shall be designated as accredited on a five-year cycle if they conduct district-wide evaluation programs encompassing all segments of education in the district.

(2) School districts shall develop and implement education programs according to identified district goals and needs. Reference shall be made to statewide educational goals when developing district-wide goals.

(3) Following identification of goals and needs, the district shall develop a master plan of education which shall include:

(A) Formulated district-wide educational goals, statements of need, curricular and instructional objectives;

(B) procedures for implementation; and

(C) evaluation procedures.

(4) The plan shall be implemented according to identified priorities. Particular emphasis shall be placed on program scope, sequence, and integration in the district's educational program for grades kindergarten through 12.

(5) The plan shall have the approval of the board of education. Each school district shall submit its master

(continued)

plan of education and a time-frame for its implementation to the state board for approval.

(6) The state board shall grant initial district-wide accreditation status for a five-year cycle as of June 30. Continued accreditation within the five-year cycle shall be dependent on the district's compliance with statutes and the provisions of the plan as approved by the state board. District-wide accreditation may be withdrawn by the state board any time during the five-year cycle for violation of statutes and failure to follow the approved plan. Any action taken by the state board shall be ~~made as of effective~~ the following June 30. The state board may approve renewal of district-wide accreditation at the end of the five-year cycle ~~shall be dependent upon the district submitting following submission of a revised master plan, which by the district. The revised plan shall include updates and projections for the succeeding five years and upon approval by the state board.~~

(7) Each district shall make an annual report to the state board indicating progress made toward achieving achievement of the goals and objectives of the plan.

(8) A district shall be accredited, or if deficiencies exist, accredited warned, or dropped from the accredited list by the state board.

(9) ~~During the school year, but no later than March 15,~~ Any district with accreditation deficiencies shall be notified of the deficiencies by the commissioner of education on or before March 15. Notices shall be mailed to the superintendent district school administrator.

(10) Reports regarding correction of deficiencies shall be filed ~~not later than on or before April 1~~.

(11) At the regular June meeting of the state board, the commissioner of education shall recommend to the state board action to be taken regarding the accreditation of a school district. If the commissioner of education recommends nonaccreditation of any district, the commissioner shall notify the president and the clerk of the board of education, and the superintendent district school administrator ~~no later than on or before May 15~~. The board of education involved shall be given an opportunity at the June meeting to present any reasons why the district should not be denied accreditation. When a district has been denied accreditation, the state board shall have five days after the June meeting in which to send a notice of nonaccreditation. The notice shall be sent by the commissioner of education by restricted mail to the president, clerk, and superintendent district school administrator with return receipt requested.

(12) Any district denied accreditation effective June 30 may, upon the application of the board of education, be given tentative accreditation status by the state board to be effective the following August 15, if the deficiencies for denying accreditation have been corrected. The application shall be signed by the president and clerk indicating that all deficiencies have been corrected, and shall be filed with the commissioner of education at least three weeks prior to the regular August meeting of the state board. All necessary forms for reinstatement shall be provided by the

commissioner of education upon request for the forms. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987.)

KANSAS STATE BOARD OF EDUCATION

By: Robert J. Clemons

Chairman

Certified by: Dr. Harold L. Blackburn

Kansas Commissioner of Education

Doc. No. 004579

KANSAS FACTS

PROGRESSIVE SPIRIT PERVADES GOVERNMENT

The state government of Kansas is based in Topeka, the state capital since 1861. The first capital of Kansas was Fort Leavenworth, where territorial Governor Andrew Reeder had his headquarters. Other state capitals during the territorial period were Shawnee Mission, Pawnee, Lecompton, Minneola, Leavenworth and Lawrence. Some of those towns served as the capital several times—the capital changed whenever the territorial leaders decided to move it.

Kansas became a state January 29, 1861. In November of that year an election was held to decide on a capital and Topeka was selected over Lawrence and several other cities. In later years there were several attempts to move the capital to a more central location, but none came close to succeeding.

A progressive yet cautious spirit has always characterized the government of Kansas. The state has led the country in many important areas. Kansas government has changed to meet contemporary needs, yet it has retained those things which are "tried and true" and which continue to be necessary, effective and efficient.

Kansas is one of the few states in the nation that does not issue revenue bonds to finance general government activities. A "cash-basis law" requires that the state operate strictly on the money available. Bond issues are allowed for capital improvements, such as major roads and buildings.

The state pioneered the use of the direct primary election. It was Senator Joseph L. Bristow, the first United States Senator nominated in Kansas under that system, who introduced in Congress the resolution which put direct election of U.S. Senators into the U.S. Constitution. Prior to that time senators were not elected by the people, but were chosen by the state legislature.

Kansas was the first state to create a Legislative Council to carry on legislative functions when the lawmaking body is not in session.

State government operations are located in several main buildings in Topeka:

The Capitol houses the Governor, Lieutenant Governor, Secretary of State, Department of Administration's main offices, and the State Library. The legislature meets in the Capitol and each senator and

representative has an office there. Offices directly attached to the legislature are also in the building.

The State Office Building, a 12-story structure completed in 1957, is located adjacent to the Capitol. The office building houses a number of state agencies. A 544-foot underground tunnel connects the building with the Capitol.

The Kansas Judicial Center, completed in 1978, houses the offices of the state courts and the Attorney General.

In the event of a national emergency or disaster, the Governor and other state officials would be evacuated to the State Defense Building about two miles south of the Capitol. The Defense Building, completed in 1977, is specially designed for use in any disaster. The building has an emergency operations center, its own generator, water supply, and blast resistance and radiation shielding. Offices of the Kansas National Guard and the Emergency Preparedness Division are located there.

Several other buildings in Topeka have been leased or purchased by the state of Kansas as needed to house state agencies.

A number of state agencies also have local offices in communities throughout the state.

Kansas has the traditional three branches of government.

Legislative

The State Senate and the House of Representatives make up the Legislative Branch. There are 40 senators and 125 representatives, all elected by the voters of Kansas. Each senator represents approximately 60,000 people and each house member represents about 19,000 Kansans. Senators serve four-year terms and representatives serve for two years. The legislature, which meets annually, has the responsibility to create, amend or repeal state laws, appropriate money to be spent by state government, and approve or disapprove proposed amendments to the state and federal constitution.

A "Legislative Improvement Award" was presented to the Kansas Legislature in 1976. The award was given by Legis 50/The Center for Legislative Improvement " . . . to recognize the progress made in strengthening the legislative institution in order to provide better representation for the people of the state of Kansas."

Since the late 1960's, the legislature has made great progress towards becoming a truly efficient and effective lawmaking body.

One major reform enacted in recent years is the lengthening and expanding of legislative sessions to allow more time and flexibility. Sessions are now limited to 90 days in even-numbered years and are unlimited in odd-numbered years, although generally they are held to 90 days.

Organizational meetings are now held every other year, following election of new legislators, before the session begins. Legislative officers are chosen at that time, and the meetings give freshman lawmakers a chance to get oriented.

Pre-filing of legislative bills between sessions,

carry-over of bills from one session to the next in non-election years, and committee meetings between sessions are reforms which have helped to increase flexibility and provide better workload distribution.

Restructuring and improvement of support services have been vital elements in the legislative revamping. All legislators now have offices in the Capitol available throughout the year, and clerical services are provided during sessions. The legislative leaders have full-time administrative and clerical staffs. The Revisor of Statutes' Office, the Division of Legislative Administrative Services and other support offices have been strengthened.

Increased pay for legislators has made service in the lawmaking body more attractive to and possible for qualified citizens.

Strong ethics legislation has been adopted to regulate legislative lobbying by special interest groups.

Executive

The Executive Branch includes the elected state officers provided for in the Kansas Constitution: Governor, Lieutenant Governor, Secretary of State, Attorney General, and the 10 members of the State Board of Education. Other elected state officers are the Commissioner of Insurance and State Treasurer. All serve four-year terms.

All offices in the Executive Branch are either directly or indirectly controlled by one of the elective officers, or are special agencies created by the legislature to function independently within state government.

The Executive Branch offices exist to enforce or carry out the laws enacted by the Legislative Branch.

The structure of the Executive Branch has evolved through the years to its present form. Governors and legislatures have made changes as necessary through executive reorganization orders, constitutional amendments and legislation.

Major state agencies are now headed by cabinet-level secretaries. In recent years, the efficiency of state government has been increased by combining similar agencies and abolishing antiquated, unnecessary ones.

In 1978, the legislature adopted a "Sunset Law," which automatically abolishes specified state agencies at certain times. When an agency is due to be abolished, it may only be continued by receiving renewed statutory authority. The legislature has the power to abolish any state agency (except constitutional offices) at any time.

Kansas was the third state in the country to establish a position of Ombudsman for Corrections. The Ombudsman, who serves as a liaison between the Department of Corrections and the inmates of the correctional institutions, investigates complaints and works with corrections authorities to resolve problems.

A Public Disclosure Commission administers recent laws which mandate strict ethics in government.

The Legislative Division of Post Audit was created to audit each state agency periodically to review the

(continued)

legality, efficiency and appropriateness of the agency's operations. Post Audit is responsible to the legislature and reports its findings and recommendations to that body.

The Crime Victims Reparations Board, created in 1978, provides compensation to certain victims of crime.

Judicial

The state's Judicial Branch, which interprets state laws, is headed by the Supreme Court, with a Chief Justice and six justices. The Supreme Court is the highest court in Kansas. The Court of Appeals is a middle court between the Supreme Court and the district courts. The Court of Appeals has a Chief Judge and six judges, and there are 31 district courts throughout Kansas presided over by 71 judges. Each judicial district also has associate district judges and district magistrate judges, as prescribed by law.

Supreme Court Justices and Court of Appeals Judges are appointed by the Governor. Each time a vacancy exists the Supreme Court Nominating Commission submits names of several qualified nominees

for the Governor to choose from. The justices stand for retention by public vote every six years, and the judges do the same every four years. The justices and judges must retire at age 70 or as soon thereafter as they finish serving their term.

District judges, associate district judges, and district magistrate judges are elected locally. Most are selected on a non-partisan ballot, although some districts have opted for partisan elections.

Local Government

Kansas has 105 counties and 627 incorporated cities.

Fifteen cities operate under the commission form of government; 14 have a mayor-council-manager system; 40 have a commission-manager system; and 558 operate under the mayor-council plan.

Local government in Kansas has a colorful history. In the early days of statehood, "county seat wars" took place. Being named the county seat could help to insure the future of a town, so there was a great deal of competition for that designation. During the county seat wars, records were stolen, ballot boxes were tampered with and shooting and bloodshed took place.

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IN THIS ISSUE	
Secretary of State	Page
Notice of Forfeiture	1182
Notice of Publication Deadline	1183
Notice to Bidders for State Purchases	1183
Kansas Fish and Game Commission	
Notice of Meeting	1185
Attorney General's Opinions	
Opinions No. 82-234 through 82-238	1185
Legislative Interim Committee Schedule	1185
Notice of Bond Sales	1185
City of Syracuse	1185
City of Belle Plaine	1185
City of Hutchinson	1185
City of Olathe	1185
City of Winfield	1185
Supreme Court and Court of Appeals Dockets	1185

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